

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

KLON LLC and  
WILLIAM FINNEGAN

Plaintiffs,

V.

EMPOWER TRIBE HQ FZE,  
EMPOWER TRIBE COMMERCIAL FZE,  
MUSIC TRIBE BRANDS DK A/S,  
EMPOWER TRIBE INNOVATIONS UK LTD.,  
EMPOWER TRIBE INNOVATIONS US INC., and  
JOHN DOES 1-10,

Defendants.

C.A. No. 1:25-CV-11580-NMG

**FIRST AMENDED COMPLAINT**

Plaintiffs Klon LLC (“Klon”) and William Finnegan (“Finnegan”), for their Complaint against Empower Tribe HQ FZE, Empower Tribe Commercial FZE, Music Tribe Brands DK A/S, Empower Tribe Innovations UK Ltd., Empower Tribe Innovations US Inc., and John Does 1-10 (collectively, “Defendants”), allege as follows.

## Preliminary Statement

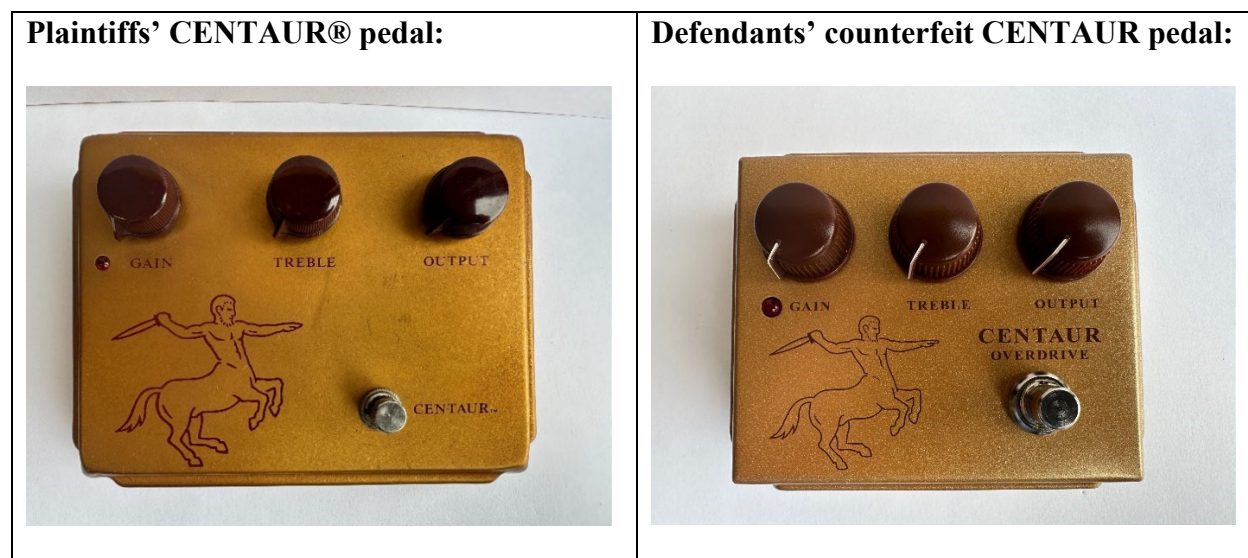
In 1994, Finnegan, a musician and innovator, followed his “completely new idea that revolutionize[d] the guitar world” to painstakingly develop an “iconic” guitar overdrive pedal named the CENTAUR®. Finnegan’s CENTAUR® overdrive pedal delivers a “great tone” that “create[s] a whole new sonic avenue” for everyone from famous “guitarists like John Mayer, Jeff Beck, and Matt Schofield” to everyday living room guitar players. Refusing to compromise the quality of the product in any way from 1994 to present day, Finnegan has built and continues to

build each CENTAUR® overdrive pedal by himself, by hand, utilizing many expensive custom parts and in a manner that no profit-prioritizing business would ever consider.

Finnegan's CENTAUR® overdrive pedal "grew in popularity until the demand overtook production," as "people didn't want to wait out the lead times to get hold of one of these mystical boxes." By mid-1995, it became impossible to keep up with the demand, and for the next fifteen years Finnegan struggled with a workload that was typically 60+ hours each week. At the end of 2009, fully fifteen years after he had hand-delivered several of his first production CENTAUR® units to pro guitar players in his hometown of Boston, Finnegan transitioned from more-than-fulltime CENTAUR® production to limited CENTAUR® production. Afterward ensued "one of the most famous price hikes in guitar pedal history," as even used CENTAUR® overdrive pedals started selling for thousands of dollars. While Finnegan continued producing the CENTAUR® overdrive pedal, other pedal manufacturers began attempting to meet the demand Finnegan could not meet by producing "clone" pedals that attempted to replicate the sound of Finnegan's pedals.

Well after Finnegan's company Klon obtained a U.S. federal trademark registration for its CENTAUR® mark in 2019, and despite the fact that Klon continued to produce and sell new CENTAUR® overdrive pedals thereafter, in late 2024 Defendants decided to "throw[] [their] hats in the ring" by announcing the launch of an overdrive pedal they shamelessly named the CENTAUR OVERDRIVE. As this pedal could never truly recreate the unique sonic tones and mystique of an authentic CENTAUR® overdrive pedal, in an effort to gain an unfair edge in the marketplace against both Plaintiffs and other overdrive pedal manufacturers, Defendants misappropriated and exploited Plaintiffs' intellectual property, extensive goodwill, and reputation by creating not just another clone but instead a blatant counterfeit of Plaintiffs'

legendary pedal. Utilizing Klon's federally-registered CENTAUR® trademark as well as the CENTAUR Logo (as defined *infra*) and nearly every element of the CENTAUR Trade Dress (as defined *infra*), Defendants' counterfeit pedal "captures the original looks" of Plaintiffs' pedal so well that it "is a testament to the engineers' efforts to replicate [Finnegan's] design as accurately as possible." Images of an authentic CENTAUR® pedal and Defendants' counterfeit one can be seen below:



To announce and promote their blatant counterfeit, Defendants took their deceit to another level by releasing and disseminating a promotional YouTube video that extensively discusses Plaintiffs' CENTAUR® overdrive pedals while deceptively and continuously showing Defendants' counterfeit pedal. This video touts the legendary, iconic status of the CENTAUR® overdrive pedal while claiming that cachet and reputation for Defendants' counterfeit pedal, even going so far as using Finnegan's name and likeness in a manner to suggest his involvement, endorsement, or approval of Defendants' counterfeit pedal.<sup>1</sup> Predictably and as intended by

<sup>1</sup> Each quotation in the paragraphs above was taken from Defendants' YouTube video promoting their counterfeit CENTAUR pedal. A full transcript of this video is filed herewith as **Exhibit A**.

Defendants, immediately after the launch of Defendants' YouTube video, consumers expressed extensive actual confusion (that went deliberately unabated by Defendants), with many rushing to purchase Defendants' counterfeit pedal believing Defendants are delivering on a mass scale a discounted product licensed or endorsed by Plaintiffs.<sup>2</sup>

Approximately 35 years of Finnegan's life have been dedicated to developing, promoting, servicing, and defending his rights in his unquestionably famous CENTAUR® overdrive pedal. Defendants, by contrast, have taken the shortest of shortcuts by copying the branding and appearance of Plaintiffs' iconic pedal and deceptively suggesting an association with Plaintiffs. Defendants' conduct goes far beyond the line of permissible inspiration versus unlawful copying, and it has all been done for a quick and easy buck, the very opposite of what Plaintiffs and their famous CENTAUR® pedal are all about.

Accordingly, this is an action for willful trademark counterfeiting, trademark and trade dress infringement, false designation of origin, passing off, and unfair competition under the Lanham Act (15 U.S.C. § 1051 *et seq.*), and willful trademark and trade dress infringement, dilution, unfair competition, false advertising, misappropriation of name and likeness, and violation of right of publicity under the statutory and/or common law of the Commonwealth of Massachusetts. Plaintiffs seek damages and injunctive relief for Defendants' brazen unlawful conduct as alleged herein.

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<sup>2</sup> As explained below, at some point after being served with Plaintiffs' original Complaint, Defendants' unilaterally and without notice made changes to their counterfeit pedal, including by re-naming it the "Centara" – which itself is infringing.



**Parties**

1. Plaintiff Klon LLC is a Massachusetts limited liability company organized in 2012 with a principal place of business and mailing address at 47 Bay State Avenue, Suite 2, Somerville, MA 02144.

2. Plaintiff William Finnegan is an individual residing at 47 Bay State Avenue, Suite 2, Somerville, MA 02144. He is the sole member and manager of Klon LLC. Prior to forming Klon LLC in 2012, Finnegan did business for approximately 17 years under the name “Klon.” Finnegan assigned all intellectual property, intellectual property rights, and related causes of action from this business to Klon.

3. Upon information and belief, Defendant Empower Tribe HQ FZE is a company organized under the laws of the United Arab Emirates, with its principal place of business in Abu Dhabi, United Arab Emirates. Upon information and belief, this entity operates as “Music Tribe,” owns and/or controls the other named Defendants, and directly and indirectly controls development, marketing, and sales for products under a variety of brands, including the “Behringer” brand.

4. Upon information and belief, Defendant Empower Tribe Commercial FZE is a company organized under the laws of the United Arab Emirates, with its principal place of business in Abu Dhabi, United Arab Emirates. This entity is named on the label affixed to the bottom plate of Defendants’ counterfeit CENTAUR pedal.

5. Upon information and belief, Defendant Music Tribe Brands DK A/S is a company organized under the laws of Denmark, with its principal place of business in Copenhagen, Denmark. This entity is named on the label affixed to the bottom plate of

Defendants' counterfeit CENTAUR pedal, and is also named in the "Quick Start Guide" that is provided with the pedal.

6. Upon information and belief, Defendant Empower Tribe Innovations UK Ltd. is a limited company organized under the laws of the United Kingdom, with its principal place of business in London, United Kingdom. Upon information and belief, this entity was formerly known as Music Tribe Brands UK1 Ltd. and Music Tribe Brands UK Ltd., among others. This entity is named on the label affixed to the bottom plate of Defendants' counterfeit CENTAUR pedal, and is also named in the "Quick Start Guide" that is provided with the pedal.

7. Upon information and belief, Defendant Empower Tribe Innovations US Inc. is a Nevada corporation with its principal place of business in Las Vegas, Nevada. Upon information and belief, this entity was formerly known as Music Tribe Commercial NV, Inc., among others, which is named in the "Quick Start Guide" that is provided with Defendants' counterfeit CENTAUR pedal.

8. Defendants have been known to utilize complex international corporate structures for the purpose of conducting business. Upon information and belief, John Does 1-10 are business entities all of whom participated in the unlawful conduct alleged in this Complaint and are liable for all of such conduct. Those fictitious names are alleged for the purpose of substituting names of Defendants whose identities will be disclosed in discovery and should be made parties to this action.

### **Jurisdiction and Venue**

9. This Court has subject matter jurisdiction under (a) 28 U.S.C. § 1331, as this action arises out of the laws of the United States; (b) 28 U.S.C. §§ 1338 (a)-(b), as this action arises in part under an Act of Congress relating to trademarks and involves a substantial and

related claim of unfair competition under federal law; (c) 15 U.S.C. § 1121(a), as this action involves claims under the federal Lanham Act, 15 U.S.C. § 1051 *et seq.*, and (d) 28 U.S.C. § 1367(a), as this action involves state law claims that arise out of the same case or controversy as the federal claims.

10. This Court has personal jurisdiction over Defendants in this action, pursuant to Constitutional due process and the Massachusetts long-arm statute (M.G.L. c. 223A, § 3), because Plaintiffs' claims arise from Defendants' actions within or purposefully directed toward Massachusetts that have caused and continue to cause Plaintiffs the harms alleged herein, such that this Court's exercise of jurisdiction over Defendants would be reasonable.

11. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b)-(c) because a substantial part of the conduct giving rise to the asserted claims has occurred or has had effects in this judicial district; a substantial part of the property that is the subject of this action is situated in this judicial district; and Defendants are subject to personal jurisdiction in this judicial district.

### **Facts**

#### **I. BACKGROUND**

12. In 1990, Finnegan saw the need for and set out to create a revolutionary new type of overdrive pedal to give guitar players an open, transparent tone akin to that of playing through a turned-up tube amplifier.

13. Interested in antiquity and Greek mythology, Finnegan named his revolutionary guitar pedal the CENTAUR.

14. After years of development and experimentation, in 1994 Finnegan (doing business as “Klon”) built and sold his first CENTAUR pedal (the “Original CENTAUR Pedal”), the design of which is shown below:





15. The Original CENTAUR Pedal and subsequent versions made thereafter all feature the currently federally-registered CENTAUR® Mark in all capital letters, followed by a subscript “TM” symbol, both on the face of the pedal and underneath the pedal, as shown here:



16. The Original CENTAUR Pedal also features an originally-created logo design of a centaur (the “CENTAUR Logo”), as shown here:



17. The Original CENTAUR Pedal features unique and distinctive trade dress consisting of gold- or silver-colored, custom-shaped enclosures with a gently-sloped face, sculptural protrusions on all four sides, and four pointed corners; oxblood-colored control knobs arranged horizontally and labeled (from left to right) “GAIN,” “TREBLE,” and “OUTPUT” in all capital letters in Times New Roman semi-bold font; a laterally-offset metal on-off footswitch, with the CENTAUR Mark (also in all capital letters in Times New Roman semi-bold font) in close proximity, in the bottom-right quadrant of the pedal; the CENTAUR Logo in the bottom-left quadrant of the pedal; a red LED light to the left of the word “GAIN”; and two signal jacks on the top side of the pedal labeled “IN” and “OUT,” with a power supply input jack to the left of the two signal jacks, as shown above (collectively, the “CENTAUR Trade Dress”).

18. The Original CENTAUR Pedal and subsequent versions made thereafter all contain unique hand-wired circuitry that includes custom-specified parts and specially-selected germanium diodes for hard clipping.

19. The Original CENTAUR Pedal was wildly popular, immediately met with critical acclaim, and as a result, demand for the pedal quickly became overwhelming.

20. In approximately 1996, Finnegan slightly modified the CENTAUR Logo, and units sold between that time and November 1999 contained the modified CENTAUR Logo, as shown here:



21. In early 2002, Finnegan suspended use of the original and modified CENTAUR Logo, and future units sold did not contain either CENTAUR Logo, but continued to retain the CENTAUR Mark and all other aspects of the CENTAUR Trade Dress (the “Current CENTAUR Pedal”), as shown here:







22. The CENTAUR Logo remains a key source identifier for Plaintiffs’ pedals, and versions of Plaintiffs’ pedals with the CENTAUR Logo typically sell for more money than versions without it.

23. From 1994-2010, Finnegan built and sold hundreds of handcrafted CENTAUR pedals each year, but never sold more than 700 pedals in any given year, despite demonstrable demand for many more.

24. Starting in 2008, in addition to direct sales, Finnegan started distributing new CENTAUR pedals on eBay through a third-party eBay account operating under the username “boxing\_rabbit”.

25. Plaintiffs distributed new CENTAUR pedals through the boxing\_rabbit eBay account in at least 2008, 2009, 2010, 2011, 2012, 2015, 2016, 2018, 2019, 2023, and 2024.

26. Starting in 2010, Plaintiffs no longer produced hundreds of CENTAUR pedals per year, but continued to manufacture, sell, and otherwise distribute smaller quantities of new CENTAUR pedals through eBay and also continued (as they had all along) to service Plaintiffs' previously sold CENTAUR pedals.

27. Starting in 2019, in addition to the sales made through the boxing\_rabbit eBay account, Klou also began selling the Current CENTAUR Pedal directly through its own eBay account under the username "klondirectsales".

28. Klou has sold new CENTAUR pedals through the klondirectsales eBay account in at least 2019, 2020, 2022, 2023, 2024, and 2025.

29. Klou presently offers and plans to continue offering new CENTAUR pedals on a limited basis going forward.

30. Plaintiffs' CENTAUR pedals have been and continue to be used by numerous famous musicians, including among many others Jeff Beck, Billy Gibbons, John Mayer, Joe Perry, Brad Whitford, Andy Summers, Nels Cline, Joe Bonamassa, Ed O'Brien, and Matt Schofield.

31. Plaintiffs and Plaintiffs' CENTAUR pedals have been and continue to be featured without solicitation in countless guitar magazine and other publications, including publications issued as recently as May 2025 (<https://www.guitarworld.com/gear/effects-pedals/klou-centaur-explainer>), and have been widely discussed on numerous online music forums, chat groups, and online videos for the past three decades.

32. Over the years since inception and continuing to the present, Plaintiffs' CENTAUR pedals have achieved a mythical and legendary status among the consuming public and in the music industry due to their relative scarcity, impeccable craftsmanship and quality, and utterly glorious tone. While this is undoubtedly true for all versions of Plaintiffs' CENTAUR pedals, the Original CENTAUR Pedal, in the gold finish with the CENTAUR Mark, CENTAUR Logo, and featuring all of the CENTAUR Trade Dress, remains the most coveted and valuable.

33. Plaintiffs' CENTAUR pedals are so desirable that there is an active secondary market for authentic used CENTAUR pedals, where consumers pay thousands of dollars, and sometimes over ten-thousand dollars, for a single one of Plaintiffs' CENTAUR pedals.

34. Plaintiffs' CENTAUR pedals are so desirable that they have repeatedly been reported stolen from pedal boards used by musicians performing live concerts, causing guitarists to look for an alternative to use when performing live concerts, as noted by this representative comment from The Gear Page accessible at

<https://www.thegearpage.net/board/index.php?threads/behringer-centaur-overdrive.2605607/page-4>:



**aquanaut**  
Senior Member  
Messages: 2,587

Nov 23, 2024 #66

macmax77 said: ☹

The price is stupidly overhyped and most of us who actually play in the real world, not small little diminutive stages, don't use a Klon live like you do.

You know, you shouldn't assume anything about people you don't know especially those on a forum. As far as my Klon, if it is possible to use it with my band I do. But they get ripped off all the time between sound checks and performance. So I usually use the first generation KTR I also bought from Bill when he released them.  
Peace.

sl and ChampReverb

## II. PLAINTIFFS' REGISTERED INTELLECTUAL PROPERTY RIGHTS, CURRENT SALES, AND ENFORCEMENT

35. On June 2, 2015, Klon filed with the U.S. Patent and Trademark Office (“USPTO”) U.S. Serial No. 86648716 for the trademark CENTAUR for “Electronic effects pedals for use with musical instruments; Foot pedals for use in connection with musical instruments; Guitar pedals; Sound effect pedals for musical instruments,” in Class 15, and “Repair and maintenance of electronic effects pedals for use with musical instruments,” in Class 37.

36. On December 20, 2017, Klon filed with the USPTO U.S. Serial No. 87727831 for the trademark CENTAUR for “Electronic effects pedals for use with musical instruments; Foot pedals for use in connection with musical instruments; Guitar pedals; Sound effect pedals for musical instruments,” in Class 15.

37. On January 22, 2019, the USPTO registered U.S. Serial No. 86648716 for “Electronic effects pedals for use with musical instruments; Foot pedals for use in connection with musical instruments; Guitar pedals; Sound effect pedals for musical instruments,” in Class 15, and “Repair and maintenance of electronic effects pedals for use with musical instruments,” in Class 37, under U.S. Reg. No. 5661741. A true and correct copy of the registration is filed herewith as **Exhibit B**.

38. On September 8, 2020, the USPTO registered U.S. Serial No. 87727831 for “Electronic effects pedals for use with musical instruments; sound effect pedals for musical instruments,” in Class 9, and “Foot pedals for use in connection with musical instruments; guitar pedals,” in Class 15, under U.S. Reg. No. 6147899. A true and correct copy of the registration is filed herewith as **Exhibit C**.

39. U.S. Reg. No. 5661741 and U.S. Reg. No. 6147899 are both live registrations based on use of the CENTAUR Mark in commerce, and as specimens to demonstrate such use, Plaintiffs relied upon and the USPTO accepted website screen shots of products sold on eBay.

40. Klon continues to offer new CENTAUR pedals on eBay, with the most recent sales in February, March, and April 2025.

41. From inception through present sales, Finnegan has personally built every CENTAUR pedal painstakingly by hand, with custom crafted parts, and with Finnegan personally and rigorously testing each unit.

42. From inception through present sales, every CENTAUR pedal built and sold by Plaintiffs has included the CENTAUR Mark on the face of the pedal, with the “TM” symbol next to it.

43. Due to the functionality and popularity of Plaintiffs’ CENTAUR pedals, multiple third parties have attempted to make pedals that replicate the sound of Plaintiffs’ CENTAUR pedals, a practice commonly known as “cloning.”

44. While some of the clone pedals have aspects of their physical appearance that are designed to be reminiscent of or inspired by Plaintiffs’ CENTAUR pedals, as is a generally common practice in the guitar pedal industry, to Plaintiffs’ knowledge, no third party has engaged in Defendants’ cumulative assault on Plaintiffs’ branding by copying the CENTAUR Mark, CENTAUR Logo, and CENTAUR Trade Dress, as well as using Finnegan’s name and likeness in a deceptive manner, as discussed herein.

45. In an effort to alert the public and help protect consumers from confusion, Plaintiffs have repeatedly provided warnings of potentially infringing third-party clone pedals on

their website and in the description of their own eBay product listings, including multiple listings for new CENTAUR pedals sold by Klon in 2025.

46. In addition, Plaintiffs have routinely engaged in efforts with eBay to remove listings for products that infringe on the CENTAUR Mark, CENTAUR Logo, CENTAUR Trade Dress, and/or the Klon business name and trademark. Plaintiffs have removed hundreds of infringing listings over a span of many years, routinely monitoring eBay for infringing listings during that time. Plaintiffs' enforcement efforts are ongoing.

47. This lawsuit concerns a blatant counterfeit pedal and a subsequent infringing pedal being produced, marketed, and sold by Defendants that unfortunately cannot be stopped through a simple takedown procedure on eBay, as the pedals are not being sold by Defendants on eBay.

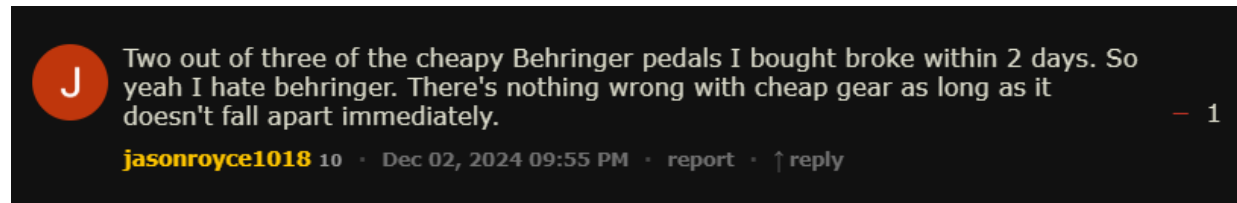
### **III. DEFENDANTS AND THEIR ACTIONS**

48. Defendants are in the business of manufacturing and selling musical equipment and gear, including guitar effects pedals.

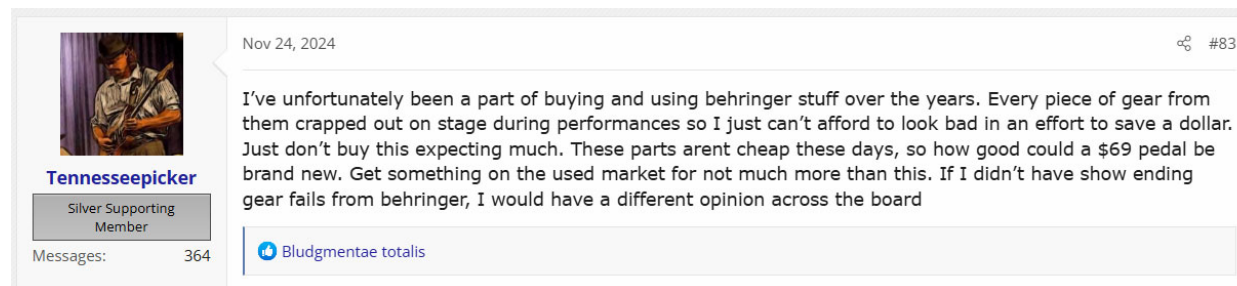
49. Defendants have long had a reputation for creating cheap and inferior copies (often using plastic enclosures) of other manufacturers' guitar pedals and other musical products, and selling such items under the "Behringer" brand as well as other brands. Moreover, on multiple occasions in the past, including as recently as May 2025, one or more of Defendants and/or their affiliates have been sued for trademark infringement, trade dress infringement, unfair competition, and related causes of action arising from the introduction of copycat products under the Behringer brand or other of Defendants' brands.

50. Defendants' reputation is well documented in consumer comments, as noted by the following representative examples:

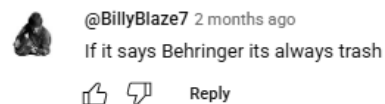
From Ultimate Guitar at <https://www.ultimate-guitar.com/news/gear/behringer-now-has-a-super-affordable-version-of-the-klon-centaur-heres-what-it-sounds-like/>:



From The Gear Page at <https://www.thegearpage.net/board/index.php?threads/behringer-centaur-overdrive.2605607/>:



From the YouTube video accessible at <https://www.youtube.com/watch?v=f08fNz2XJEg>:



51. Defendants' guitar pedals have typically, if not near universally, included the BEHRINGER trademark plainly visible on the face of the pedal, as shown in the representative examples of Defendants' pedals depicted below and as shown on Defendants' Behringer website at <https://www.behringer.com/>:









52. Upon information and belief, in late 2024 Defendants announced the upcoming release of a new guitar effects pedal they named the CENTAUR OVERDRIVE (the “Counterfeit CENTAUR Pedal”), as shown here:







53. In a willful attempt to steal the goodwill associated with Plaintiffs' legendary CENTAUR pedals, the Counterfeit CENTAUR Pedal prominently features on its face Klon's federally-registered CENTAUR Mark in all capital letters – larger than any other word present – and in the same font and color as used by Plaintiffs, as shown here:



54. Unlike nearly every other pedal made by Defendants and currently shown on the Behringer website, the Counterfeit CENTAUR Pedal does not include the BEHRINGER mark on the face of the pedal – despite there being ample space for it. This was no doubt intentional to make the Counterfeit CENTAUR Pedal look even more like Plaintiffs' CENTAUR pedals, so as to further give the impression that the Counterfeit CENTAUR Pedal is made or licensed by Plaintiffs.

55. In a willful attempt to copy the most desirable and valuable version of Plaintiffs' CENTAUR pedals, Defendants have only released the Counterfeit CENTAUR Pedal in a gold color metal casing and with a centaur logo design that is virtually identical to Plaintiffs' original CENTAUR Logo, as shown here:

**Plaintiffs' CENTAUR Logo:**



**Defendants' CENTAUR Logo:**



56. In addition to using Plaintiffs' CENTAUR Mark and a virtually identical logo to the CENTAUR Logo in the same way on the face of the Counterfeit CENTAUR Pedal as those source indicia appear on Plaintiffs' CENTAUR pedals, the overall product design of the Counterfeit CENTAUR Pedal is largely identical and deceptively similar to the CENTAUR Trade Dress, as shown in the images below:



**Side-by-side comparison of an Original CENTAUR Pedal and Defendants' Counterfeit CENTAUR Pedal:**



**Original CENTAUR Pedal:**



**Counterfeit CENTAUR Pedal:**









57. Despite the overwhelming similarities as shown above, Defendants’ Counterfeit CENTAUR Pedal uses a metal enclosure that is smaller than the metal enclosure on Plaintiffs’ CENTAUR pedals. The smaller size, however, was by no means an effort by Defendants to distinguish their pedal from Plaintiffs’ CENTAUR pedals and avoid confusion. Rather, as Defendants have expressly admitted in their own promotional video (which is examined in more detail below), “[i]t captures the original looks, but it comes in a smaller format. This has been done to save space in your setup. The engineers have your best interests at heart. Small pedals leave more space to feed that pedal addiction that I know we all have.”

58. At least some consumers and guitar industry influencers and media recognize the Counterfeit CENTAUR Pedal for what it is – a counterfeit:

**From the YouTube video released by TheGuitarGeek, accessible at <https://www.youtube.com/watch?v=IqNbDDt7X1I>:**

“Behringer is at it, again, bringing us desirable gear at accessible prices. A baby Klon in a metal enclosure, for about 69 notes. This time this Klon clone is called, the Centaur overdrive. We can talk about that shameless name in a moment. Actually, no, let’s do it now, because the Centaur overdrive needs no explanation. There are probably more Klon clones then there are Tube Screamer clones by this point, and I fully support making gear affordable for all. However, there are some exceptions. There is a line that I don’t think should be crossed. In some cases it’s an unspoken agreement. In others it can be a legal battle... And then we have the Behringer Centaur overdrive, taking a full speed running leap over the line, parkouring that barrier like a team of elite French free runners, skidding to a halt, doing a naked victory dance, flipping the double bird at Bill Finnegan, and walking off into the sunset with a huge bag of money.”

**From the YouTube video released by The Pedal Junkie, accessible at [https://www.youtube.com/watch?v=LhbS\\_ayEFmE](https://www.youtube.com/watch?v=LhbS_ayEFmE):**

“The most important news are (drum roll).... Behringer is releasing a Centaur clone (excessive laughter). Again, Behringer is releasing a Centaur clone. So, not just any plastic pedal. No! They have the absolute balls of steel to make it look like an actual Centaur clone. The only thing they did is they shrink the size down a little bit for ‘pedal board friendly reasons.’ Um, I, I just, I just love the attitude, you know? Other companies are kind of tip-toeing around the original design to avoid lawsuits, of course (laugh). But uh (laugh), Behringer is like some dude from the hood – ‘I DON’T GIVE A FUCK!’ You know...but Behringer, nah man, just a regular Centaur clone, but smaller, and for sixty-nine bucks, so of course I ordered it...A Klon for sixty-nine bucks in a metal housing, in a smaller form? Dude, I’m in! So, I’m very excited.”

**From the YouTube video released by Andertons Music Co., accessible at [https://www.youtube.com/watch?v=JYA1I\\_2IqMw](https://www.youtube.com/watch?v=JYA1I_2IqMw):**

Pete Honoré: (while looking at the Counterfeit CENTAUR Pedal) “That’s cheeky though isn’t it? Cuz that looks exactly like, and he’s got a sword on with a gold one, and they call it a Centaur as well (audible gasp).”

Lee Anderton: “That is cheeky. Yeah absolutely.”



**From the YouTube video released by 60 Cycle Hum, accessible at <https://www.youtube.com/watch?v=KXGHDeH6ZbA>:**

Steve: “Behringer Centaur. You finally got your mini-Klon case.”

...

Ryan: “And the craziest thing about it. The boldest thing about it, like Andy Ferris pointed out, like the balls on Behringer to just call it the Centaur.”

Steve: “Oh yeah, yeah. No.”

Ryan: “That’s wild!”

...

Ryan: “So you’re saying that that that Bill [Finnegan] should sue Behringer?”

Steve: “Ah, well I think he could—he has a strong case for a cease and desist over the Behringer Centaur.”

Ryan: “Sure. Sure. Sure.”

**From the YouTube video released by Pedalboards of Doom, accessible at [https://www.youtube.com/watch?v=TpW\\_2OOkwrE](https://www.youtube.com/watch?v=TpW_2OOkwrE):**

“Now it certainly looks the part, but is it actually any good?”

**From the YouTube video released by Guitar Stuff Studio, accessible at <https://www.youtube.com/watch?v=Rtnwre9ghqY>:**


“So if you’re a guitar player, and you spend as much time online as I do, you will be no doubt aware of this: the Klon Centaur, the holy grail of overdrive pedals. But now Behringer, the latest company to come with a clone or copy of this iconic pedal. In fact, no, it’s a blatant copy (laugh)... Behringer has brought out their version of the Klon, and, well it looks like it doesn’t it? It looks like a Kl—it’s a tiny version. It’s teeny tiny. But there’s no mistaking what it’s supposed to be. Apparently, the circuitry, everything—just the same. It’s essentially a Klon Centaur in a smaller package. And now you can own one too. And you don’t have to sell a kidney or your first born.”

**From the Gearnews website at <https://www.gearnews.com/behringer-centaur-overdrive-guitar/>, which embeds the Counterfeit CENTAUR Video discussed below:**

“I would bet if you overlaid the two – the one on the Behringer Centaur Overdrive with the one on Finnegan’s original design – you’d find very few differences. Plus, the gold finish also seems very close!”


## From The Gear Page website at

<https://www.thegearpage.net/board/index.php?threads/behringer-centaur-overdrive.2605607/>:




**Barquentine**  
Member  
Messages: 3,307

Nov 23, 2024 #59

snow and steel said: 


I wonder when Bill will sue since they are using his graphics and the pedal name

I've been wondering the same thing. I've ordered one from Andersons. Maybe it'll become valuable when the cease and desist order hits.



**john\_eae**  
Member  
Messages: 369



Nov 23, 2024 #73


Kyle Ashley said: 

Bill should have some IP recourse here or did he license this and I just missed it?

The Centaur trademark is still active. Apparently these things no longer matter?


Uli Behringer remains a shameless thief.

  blackba, Benz2112, jemboism and 6 others



**Mr Fingers**  
Member  
Messages: 5,378



Nov 24, 2024 #91


huwutwywen said: 

I mean, we know there is only like a 1" x 1" square pcb of parts in there.

Then what "we all know" is wrong, unless the numbered gold horsie original Klon I bought new more than 30 years ago somehow has a special big board inside. Bill wasn't looking to make a board-friendly compact pedal because nobody was building jam-packed pedalboards then. Just look at a Big Muff, for example. People looked for serious-sized floor pedals, and the Klon was the best of the bunch, hands down. The more spacious pedals allowed good designers to optimize their circuit layouts, a small difference perhaps, but something that perfectionists like Bill cared about.

At this point, clones and tweaked Klons are everywhere; circuits can't be copyrighted, so that's commonplace in the pedal world. The same thing happened to the Tube Screamer, even more than the Klon. In both cases, some of the clones are incredible pedals. But copying the visuals of a pedal is another thing entirely, and while most Klon-based pedals have the self-respect and honesty to do their own distinctive housings, many of them "riffs" on the Klon, a few resort to the truly contemptible practice of creating pedals that try to look like Klons -- to create the fake effect that the user has a Klon. This combines deception by the maker and deception, and self-deception, on the part of the user. Ceriatone, Warm Audio, and now Behringer are in that business. You can buy \$69 Klon clones easily -- what is different about Behringer is that they have faked the look as well. But I guess that's supposed to be "fun."

  gedlig, Doutorfunga, monty and 1 other person




**BSRI Audio**  
Member  
Messages: 1,122

Nov 24, 2024 #100

Once upon a time when you made a clone of something you at least made up your own name and graphics. I guess this is technically a counterfeit?

Ry@n and jemboism

---



**kyolic**  
Member  
Messages: 1,240

Nov 26, 2024 #142


Behringer Tech 1: Guys let's clone Klon Centaur!

Behringer Tech 2: How about, counterfeiting it?

All the other Techs: Yeeeeesss!!!!

PhuzzphayZ

---



**phil\_m**  
Trying is the first step towards failure.  
Gold Supporting Member  
Messages: 15,335

Nov 28, 2024 #196

Jellofingers said: ☹


\* A company as large as Behringer is \*sure\* to have all its legal bases covered before making such an overt copy of an existing pedal. I suspect this release didn't catch Bill F. by

Lol... Behringer does what it wants. As if they have any respect for IP at all... They know that for most of these products trying to enforce the trademarks and patents will be onerous, and even if they do lose a lawsuit now and then, it's just the cost of doing business.

openbar

---

**From the Reddit thread accessible at**  
[https://www.reddit.com/r/guitarpedals/comments/1h0c834/did\\_behringer\\_just\\_win\\_the klone wars/](https://www.reddit.com/r/guitarpedals/comments/1h0c834/did_behringer_just_win_the_klone_wars/):

←  **r/guitarpedals** • 5 mo. ago  
RenatoNYC

**Did Behringer just win the 'Klone Wars?**

Looks like Behringer managed to not only copy the original Centaur's enclosure, by making a mini version of it, but they also seemed to have gotten away with naming their little pedal **Centaur Overdrive!**

To add to salt to injury, they priced it at **\$69** bucks! Probably sounds like \$69 bucks too.

**From the YouTube video accessible at****<https://www.youtube.com/watch?v=vFKOKYxpXmg>:****@awesomevideos90210** 5 months ago

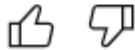
The problem with ripping off an enclosure is that it misleads people. Especially when it comes to the exact same box with the exact same graphics, you're implying a certain quality based on the reputation of another brand. That brand has controls in place to make sure their products maintain a high quality and other brands coast off that by using the same design.



Reply

**From the YouTube video accessible at****<https://www.youtube.com/watch?v=IqNbDDt7X1I>:****@mantashaft** 4 months ago

trade dress infringement



Reply

**@jesperbc** 4 months ago

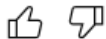
I don't know what more disgusting... Behringer so blatantly ripping of the IP of a small, one-man operation (or thereabout) or Donal Drumpf releasing Chinese made guitars at insane prices. Suffice to say, neither of these products should be given any attention.



Reply

**@CristiNeagu** 4 months ago

Grab a Behringer pedal before they get sued and have to change the design and name.



Reply

**@jordimateubartoli951** 4 months ago

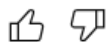
If you look at the schematic of the Klon, this price is fine as it is very simple. But they should have used another name and drawing.



Reply

**@DavidPerry-ui2qz** 4 months ago



Guitar players jump on that Behringer before they have to change it!!!










Reply









From the YouTube video accessible at  
<https://www.youtube.com/watch?v=g9Hlx0iRT4Y>:

-  @dclipper8052 3 months ago  
 It sure sucks for the designer of the original that these guys stole not just his design but even the goddamn name. How is that even allowed? MOAR lawyers, I guess?
-  1   Reply
-  @elwilly63 3 months ago (edited)  
 On looks alone, I'm going to get one
-  4   Reply




From the YouTube video accessible at  
<https://www.youtube.com/watch?v=vceDvUWh5fo>:

-  @piktormusic2538 2 months ago  
 Behringer, the Napster of intellectual property.
-  1  Reply
-  • 3 replies
-  @bobbyarthurmagic 2 months ago  
 Ya they should stop, it's not cool ... one thing to replicate or make a replica in Essence but taking name and logo this is sheer ignorance and surprised any musician would support that as much as you would like me to rip of your original song
-   Reply

From the YouTube video accessible at  
<https://www.youtube.com/watch?v=DOcnNyQae9k>:

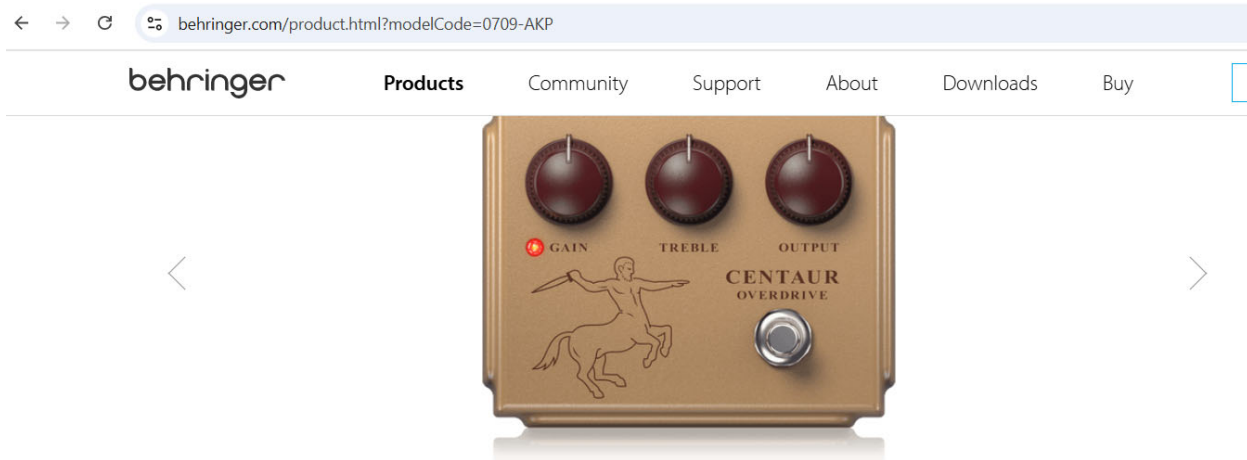
-  @jamesthompson6726 4 months ago  
 There's cloning and there is straight up ripping off the pedal. But if you don't mind getting sued? Go ahead. But the dude that owns behringer the guy his grandfather left him all his money. Then you probably won't be worriedat all. Lol 😊😊
-   Reply
-  @cortmiller 5 months ago  
 I think the problem is that they call it the centaur directly which is a straight rip of the klon Siberia product as well as directly copying the color, graphic, knobs and shape. It seems like a dramatic trademark violation and I doubt if they'd get away with it if they were a us company
-   Reply

From the YouTube video accessible at  
<https://www.youtube.com/watch?v=LRhPdEDUcmQ>:

-  @YagoYoutube-g2k 4 months ago  
 But the behringer is so beautiful, the only that copies the big one in a smaller box. Pedals today are not only about sound anymore, because we have millions of copies of the same pedal, but some look cooler than others... and for the same range of price, better to get the more beautiful one
-  5  Reply

59. Even one of Behringer's own purported employees has recognized the brazen nature of the Counterfeit CENTAUR Pedal in a video he uploaded to YouTube, accessible at <https://www.youtube.com/watch?v=DOcnNyQae9k>, in which he states: "My name is John Cordy and I work for Behringer. So, Behringer have had a couple of interesting weeks I think, because first of all they came out with this announcement that they are going to be making the BEHRINGER CENTAUR, which is about their most brazen clone."

60. Despite the fact that the Counterfeit CENTAUR Pedal has only been available for a few months, and in an attempt to create an association with Plaintiffs and their truly legendary CENTAUR pedals, Defendants have prominently and repeatedly referred to the Counterfeit CENTAUR Pedal as "legendary" in marketing, including as shown on Defendants' Behringer website accessible at <https://www.behringer.com/product.html?modelCode=0709-AKP>, as shown below and in **Exhibit D** filed herewith:

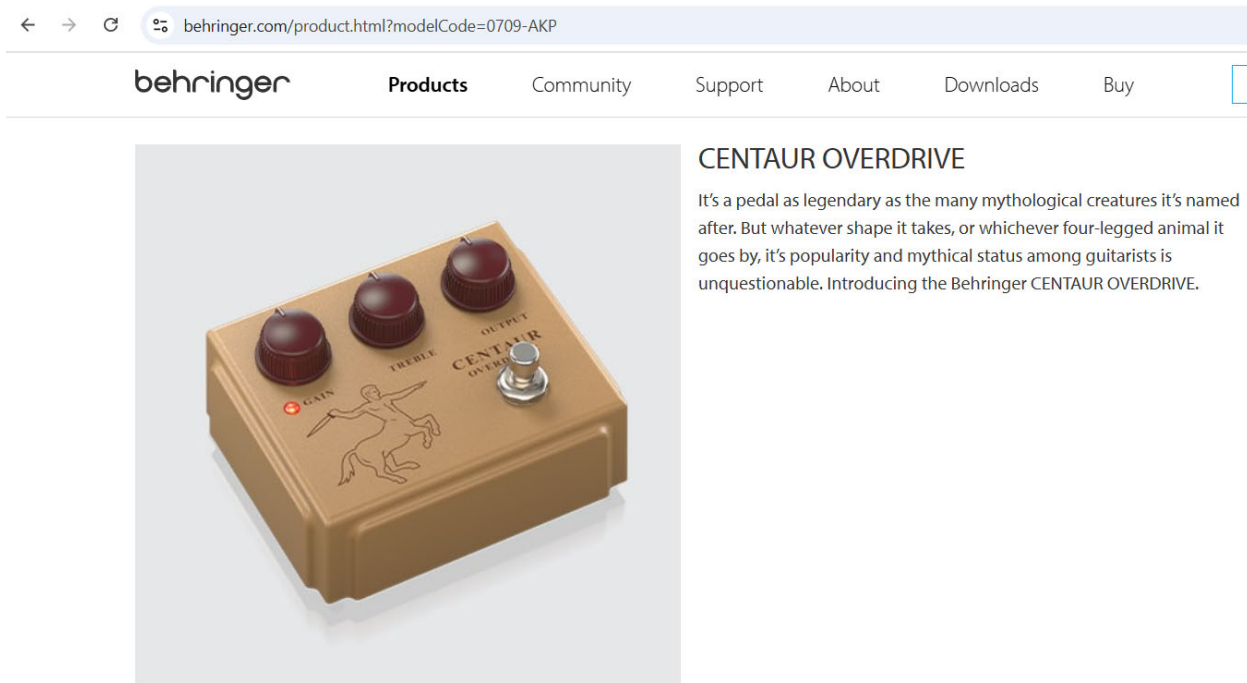


Legendary Transparent Boost Overdrive with Huge Dynamic Range, Gain on Tap and Soft Clipping Diodes Inspired by Germanium Characteristics

#### Product Features

[Show less](#) ▲

- Legendary overdrive with transparent “amp-like” tone, touch and feel
- Dual-potentiometer gain control with wide range for boost, overdrive and distortion
- All analog circuitry with Germanium diodes for soft transitional clipping
- Stepped up internal voltage provides huge dynamic range
- Treble control for custom tailoring high frequencies
- Discrete buffered true bypass avoids high-frequency loss from long cable runs
- Robust housing with authentic vintage styling
- Runs on 9 V battery or Behringer PSU-SB DC power supply (not included)



#### CENTAUR OVERDRIVE

It's a pedal as legendary as the many mythological creatures it's named after. But whatever shape it takes, or whichever four-legged animal it goes by, it's popularity and mythical status among guitarists is unquestionable. Introducing the Behringer CENTAUR OVERDRIVE.

61. Even though it would be insufficient to alleviate confusion, nowhere on the Counterfeit CENTAUR Pedal, its packaging, its included manual, or in any of its marketing do Defendants disclaim an association with Klon and/or Finnegan.

62. Rather, Defendants have deliberately taken deceptive actions to create a counterfeit guitar pedal that has the appearance of Plaintiffs' iconic CENTAUR pedals along with the endorsement from Finnegan himself.

63. To that end, to promote the Counterfeit CENTAUR Pedal, on November 22, 2024, Defendants launched a six-plus-minute promotional video on YouTube (accessible at <https://www.youtube.com/watch?v=rCX7OXUlslk>) titled "The stomp, the myth, the legend - Behringer CENTAUR OVERDRIVE" (the "Counterfeit CENTAUR Video").

64. In addition to being available on YouTube, as of the filing of Plaintiffs' original Complaint, the Counterfeit CENTAUR Video was embedded in Defendants' website on the product page advertising the Counterfeit CENTAUR Pedal, as shown at <https://www.behringer.com/product.html?modelCode=0709-AKP>, as well as several websites discussing the Counterfeit CENTAUR Pedal and product pages from retailers selling the Counterfeit CENTAUR Pedal.

65. The Counterfeit CENTAUR Video opens with a voiceover that says "Sometimes a completely new idea comes along that revolutionizes the guitar world," while teasing an image of part of the Counterfeit CENTAUR Pedal that features the CENTAUR Mark and CENTAUR Logo on a gold casing that appears similar if not identical to the CENTAUR Trade Dress, as shown here:





**The stomp, the myth, the legend - Behringer CENTAUR OVERDRIVE**



**Behringer**  
248K subscribers

**Subscribe**

👍 2.2K

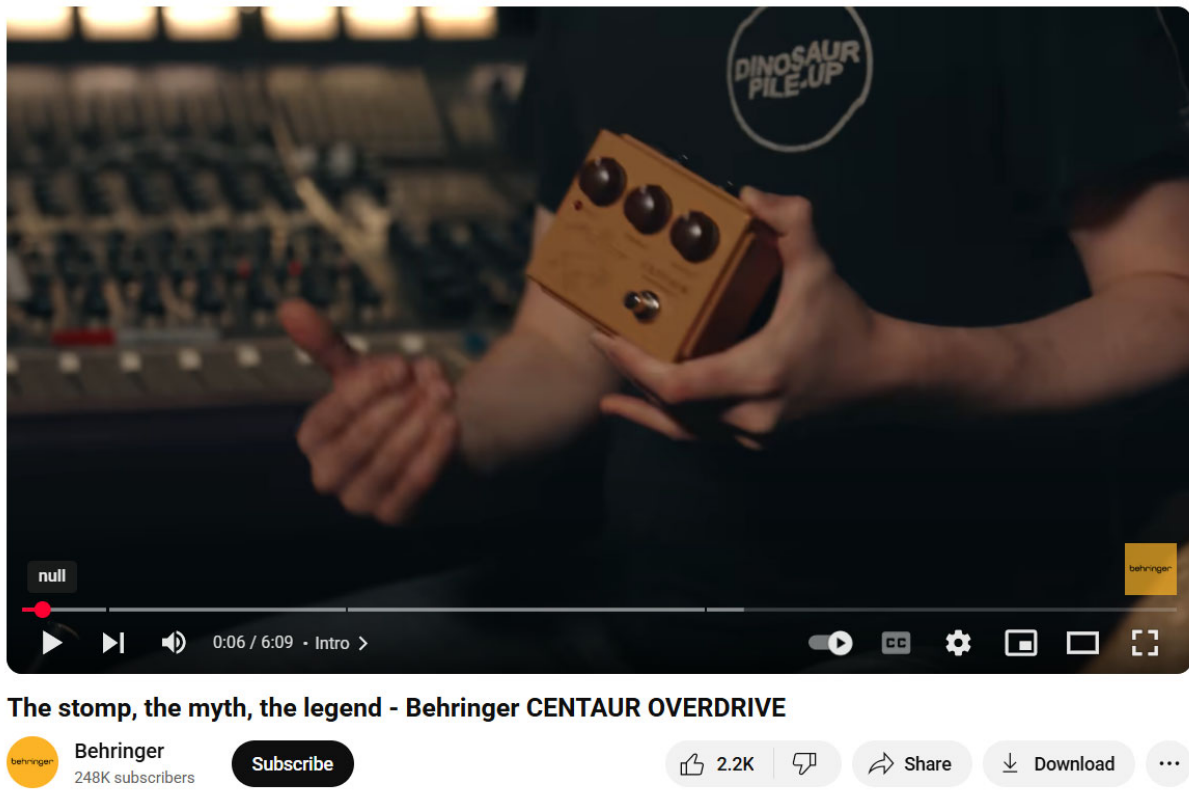


➦ Share

⬇️ Download

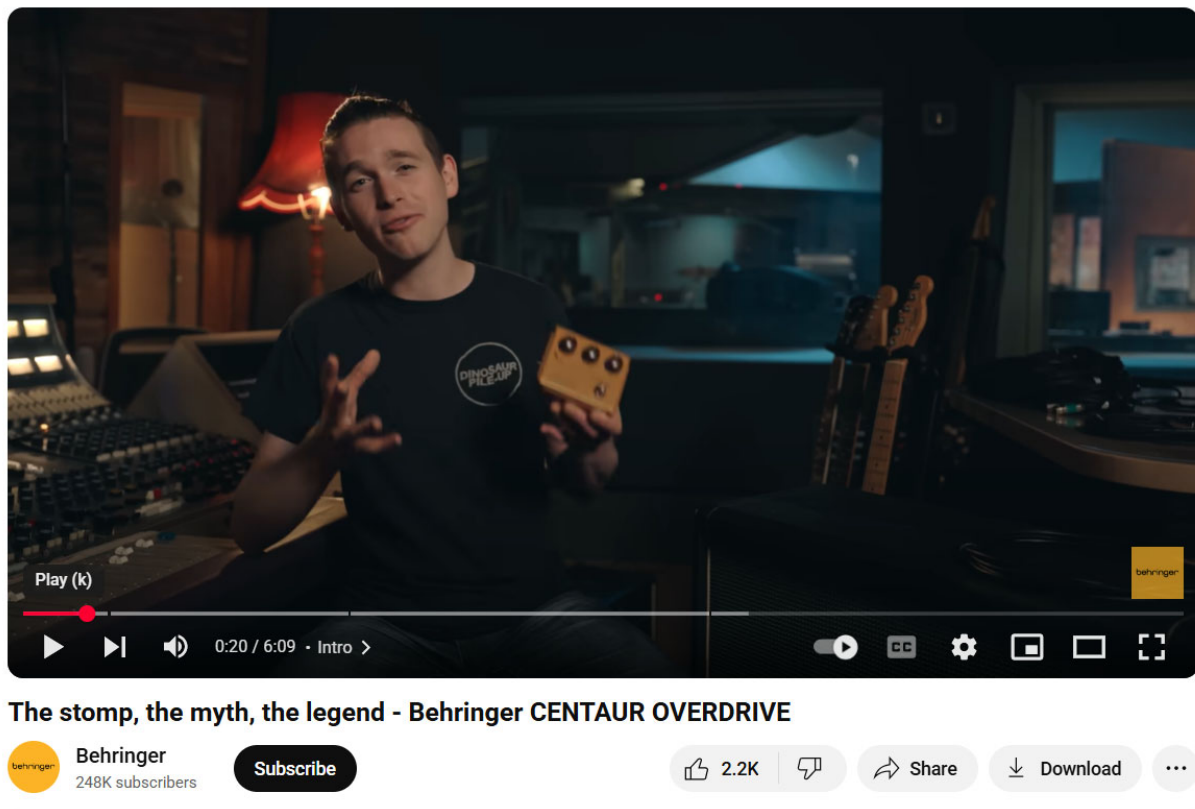


66. In the next image, the speaker in the video (the “Behringer Representative”) says “*This thing* created a whole new sonic avenue for guitarists like John Mayer, Jeff Beck, and Matt Schofield to explore” (emphasis added), while holding not Plaintiffs’ CENTAUR pedal, but instead the Counterfeit CENTAUR Pedal, as shown here:



67. The Counterfeit CENTAUR Video then shows a series of three very quick images of Plaintiffs' CENTAUR pedals that lasts for a few seconds in total while a third party states "This is one of the most expensive pedals on the market. It's absolutely insane."

68. The Counterfeit CENTAUR Video then returns back to the Behringer Representative, who says, "if you're looking for an unmistakable experience without the insane prices....," as he continues to hold the Counterfeit CENTAUR Pedal, as shown here:



69. The “Intro” portion of the Counterfeit CENTAUR Video then concludes with the voiceover “This is going to be fun for you,” while a close-up image of the Counterfeit CENTAUR Pedal is displayed, as shown here:



70. The next section of the video is titled “The story of the Klon,” and the voiceover states “The origin of *this iconic unit* came from *its creator’s* frustration of trying to achieve a great tone at lower volume levels, something I’m sure we’ve all struggled with” (emphasis added), but again instead of actually showing Plaintiffs “iconic” pedals, Defendants show an even more zoomed in look at the Counterfeit CENTAUR Pedal, as shown here:





### The stomp, the myth, the legend - Behringer CENTAUR OVERDRIVE



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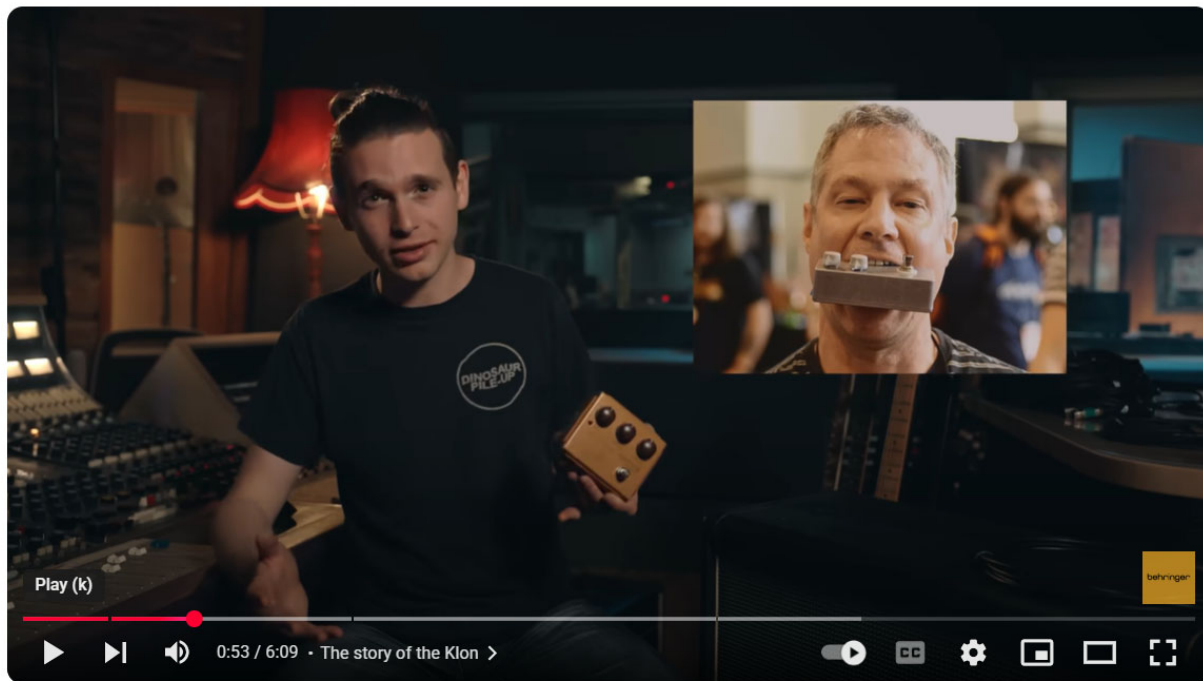


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71. The Behringer Representative next starts to explain the need for an overdrive pedal back in the 1990s, and states “Klon’s creator, Bill Finnegan, went on a mission to create a pedal that could deliver rich, harmonic drive at low volume levels,” while the video displays an image of Finnegan and the Behringer Representative *continues* to hold the Counterfeit CENTAUR Pedal, as shown here:



### The stomp, the myth, the legend - Behringer CENTAUR OVERDRIVE



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72. The Counterfeit CENTAUR Video then shows a series of three partial images of the Counterfeit CENTAUR Pedal, with the second and third images showing the CENTAUR Mark, while the voiceover states “What he [Finnegan] wanted was something subtle, a pedal that makes your amp sound like you’re always in that sweet spot that we all crave so desperately,” as shown here:

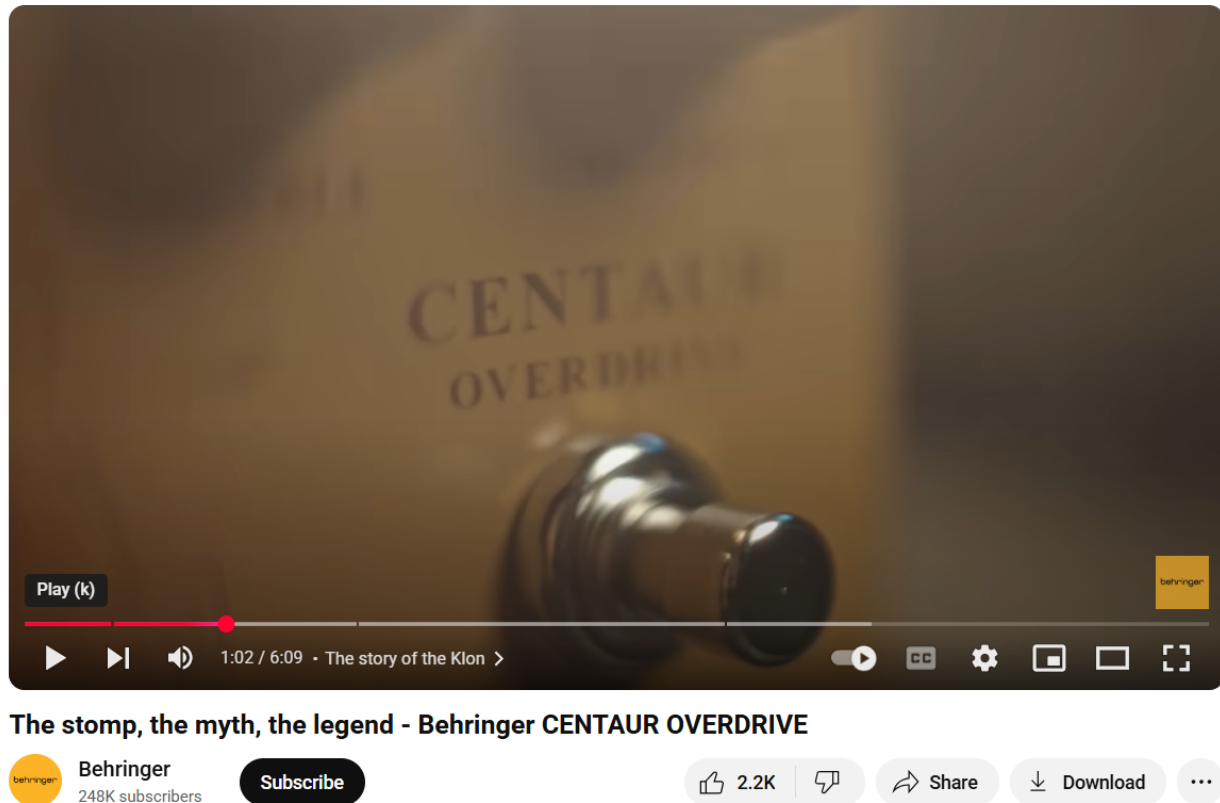


### The stomp, the myth, the legend - Behringer CENTAUR OVERDRIVE



### The stomp, the myth, the legend - Behringer CENTAUR OVERDRIVE





73. The Counterfeit CENTAUR Video then continues with the Behringer Representative declaring “[i]t took over four years to perfect *the design*, hitting the market in 1994” (emphasis added), while again misleadingly showing a close up image of the Counterfeit CENTAUR Pedal, which hit the market in 2024, as shown here:





#### The stomp, the myth, the legend - Behringer CENTAUR OVERDRIVE



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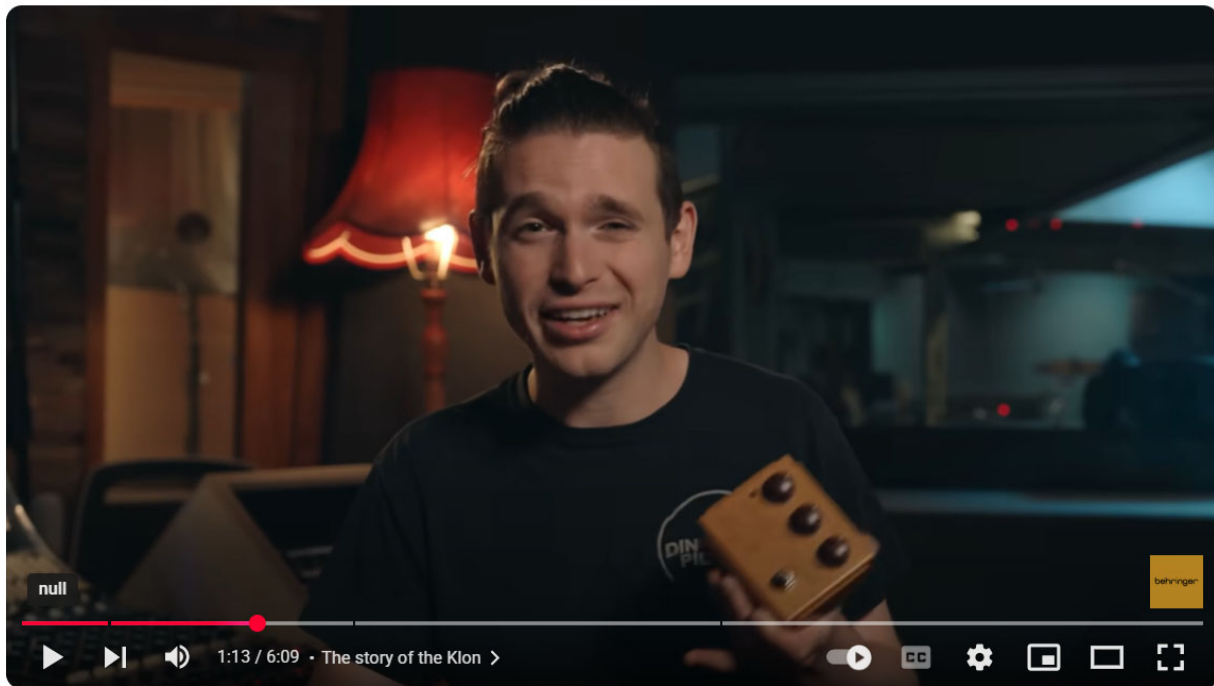


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74. The Behringer Representative next states, “*the pedal* slowly grew in popularity until the demand overtook production” (emphasis added), while *continuing* to hold the Counterfeit CENTAUR Pedal, as shown here:



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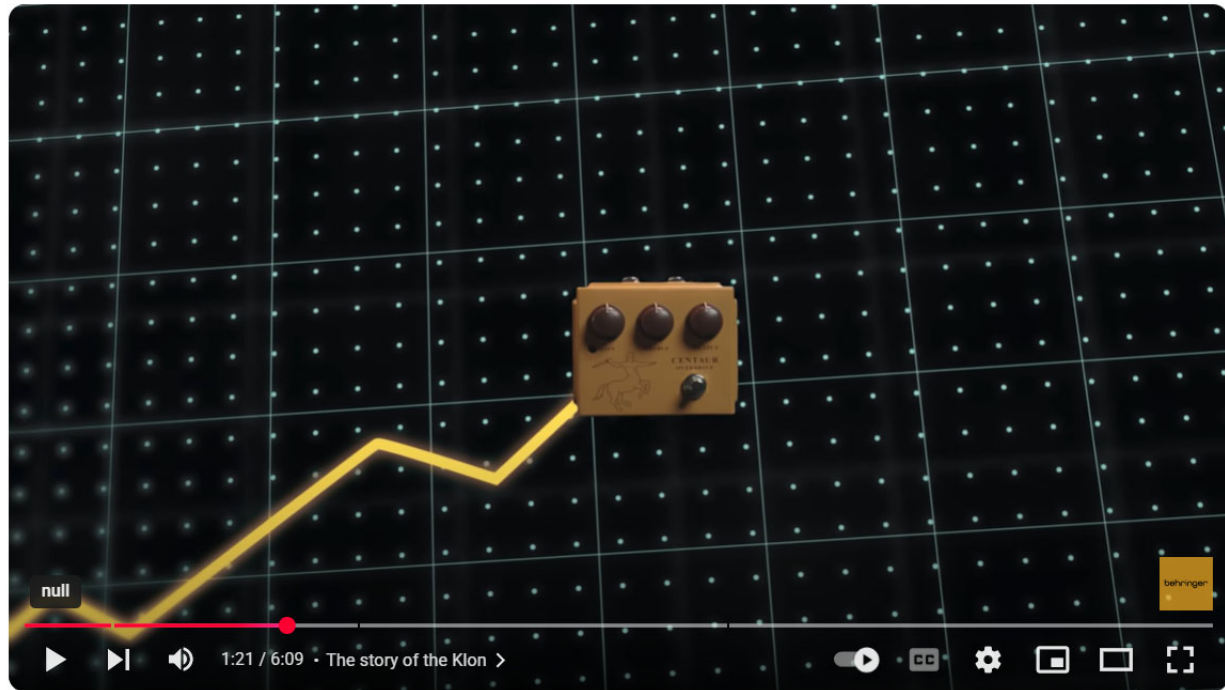
Share



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75. The Behringer Representative next says “Suddenly the price on the second hand market started to grow and surpass the price of the new builds as people didn’t want to wait out the long lead times to get hold of one of these mystical boxes,” all while incredibly an image of not one of Plaintiffs’ “mystical boxes,” but instead the Counterfeit CENTAUR Pedal, is shown on an upward trajectory of a graph chart, as shown here:



76. The Counterfeit CENTAUR Video has been viewed on YouTube more than 117,000 times to date.

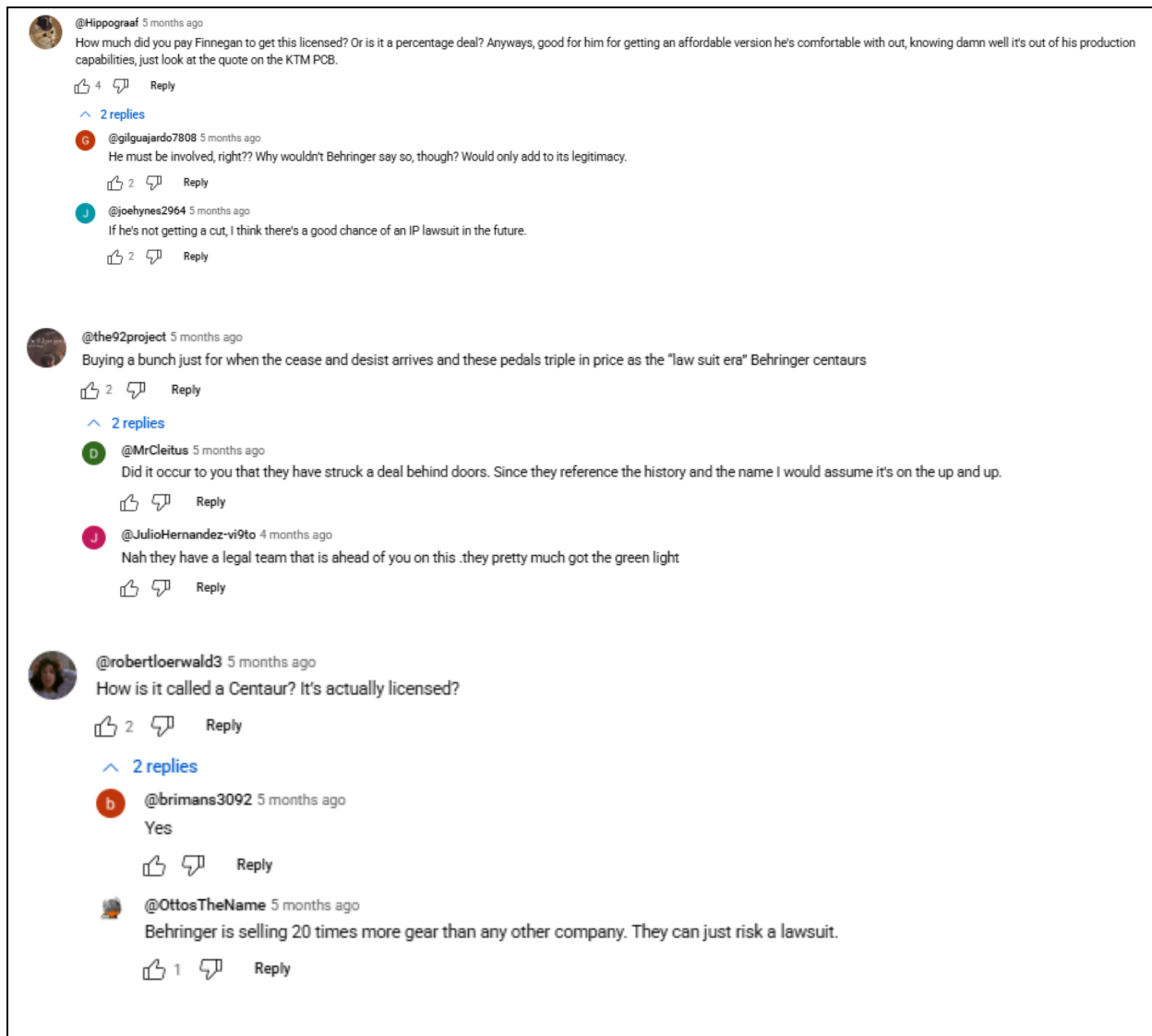
77. Upon information and belief, Defendants created the Counterfeit CENTAUR Video to mislead and deceive consumers into believing that the Counterfeit CENTAUR Pedal is made by, sponsored by, endorsed by, authorized by, or otherwise affiliated with Plaintiffs.

78. Upon information and belief, Defendants created the Counterfeit CENTAUR Video to mislead and deceive consumers into believing that Defendants are involved with Plaintiffs and their authentic CENTAUR branded products and services.

79. Upon information and belief, Defendants created the Counterfeit CENTAUR Video to misappropriate and trade on the reputation, goodwill, and cachet associated with “the myth, the legend” of Plaintiffs’ CENTAUR brand.

80. At no point in the Counterfeit CENTAUR Video do Defendants state that Plaintiffs were not involved with, did not endorse, did not authorize, or otherwise are not affiliated with the Counterfeit CENTAUR Pedal.

81. Consumer comments left on Defendants' YouTube page for the Counterfeit CENTAUR Video make clear that many consumers are confused as to the source of and/or Plaintiffs' endorsement of the Counterfeit CENTAUR Pedal, as shown here:





@Shinola3 5 months ago

I hope Finnigan got a well deserved buy out! If that's so, it's fair enough that people with small pockets are able to hear the sound they long for!

👍 12 🗨️ Reply

^ 1 reply



@davidburke2132 5 months ago

Totally agree. If they've just put this out using his own pedal name and his visual pedal trademarking and are challenging him to take them to court (knowing they've got way more money and resources than he does) this would be sh1tty in the extreme. So I hope they've done some kind of deal with him.

👍 3 🗨️ Reply



@davidseal6863 5 months ago

Making the original marked up products less desirable. It's about time.

👍 🗨️ Reply



5 months ago

I is better than the original. It is the squire classic vibe of pedals. They predict original klon prices to fall by 99%

👍 🗨️ Reply



@gr3gthomson 2 days ago

Respect for the DPU tee 🍌 one of my fav bands.

Totally getting one of these Centaur pedals!! Not that i've ever played a 'real' one, but with Behringer's reputation for tone recreation when it comes to their guitar pedals I have absolute faith this pedal will be as accurate at it can get to the original Klon. These just look like a tiny version, it's too cool to pass up, especially at that price!

👍 🗨️ Reply



@pedalflix 5 months ago (edited)

I love how they called it a Centaur and changed absolutely nothing with the aesthetics. /s

👍 1 🗨️ Reply



@srh361 5 months ago

Wait a minute.... is Bill endorsing this or backing it or whatever??

👍 🗨️ Reply



@AudreyYun 5 months ago

they made the thing LOOK like the thing! (gets out my wallet)

👍 2 🗨️ Reply

^ 1 reply



@kierenmoore3236 5 months ago

lol, the looks are most important, to most people, as we know

👍 1 🗨️ Reply



82. At some point after the filing of Plaintiffs' original Complaint, the Counterfeit CENTAUR Video became no longer publicly viewable on Behringer's product page on its website or on Behringer's YouTube channel.

83. Upon information and belief, Defendants have not responded to the comments on the Counterfeit CENTAUR Video or otherwise confirmed to consumers or the media that the Counterfeit CENTAUR Pedal is not licensed, authorized, or in any way affiliated with Plaintiffs, instead willfully determining to allow consumers to remain confused.

84. As a result of the near identical appearance as between Defendants' Counterfeit CENTAUR Pedal and Plaintiffs' CENTAUR pedals, coupled with Defendants' misleading and deceptive marketing in the Counterfeit CENTAUR Video, on the Behringer website, and elsewhere, and also Defendants' failure to even attempt to ameliorate or otherwise address consumer confusion after the launch of their Counterfeit CENTAUR Video and Counterfeit CENTAUR Pedal, there has been extensive actual confusion among consumers as to the source of the Counterfeit CENTAUR Pedal, representative examples of which are shown below:

**From the YouTube video accessible at**  
<https://www.youtube.com/watch?v=IqNbDDt7X1I>:



@russellcharlton7814 2 months ago

Bill Finnegan was involved in the creation of the pedal and gave his blessing apparently.



Reply



@DavidRavenMoon 4 months ago (edited)

Behringer mentioned Bill and even showed a photo of him in their promo video. Makes me wonder if they worked out a deal with him?

Gibson already issued a cease and desist letter.



Reply



@shayneoneill1506 3 months ago

I have a suspicion that behringer probably gave klon a bunch of money to be able to use that logo. And yeah those Trump guitars look like hot trash.

Reply



@MSLSimRace 2 months ago

May Behringer bought the rights to it

Reply



@CaptainJoséVonSlappywag 4 months ago

My problem with the Behringer Centaur Overdrive is that it feels like it's meant to deceive. It's almost the same centaur illustration (a few small differences), a very similar serif font, the knobs are pretty close to those on the Klon, the position of the LED next to the word "gain". None of that's particularly unusual for a Klon clone (apart from maybe just how close the illustration is); Ceriatone and Warm Audio's clones tick most of those boxes too. But the key for me is the lack of the Behringer logo on the face of the pedal. Prior to this, the Warm Audio Cantavo is probably the most blatant copy (that you can buy in legitimate stores, at least), but at least the Warm Audio logo is on there, next to the switch. The Behringer logo is hidden on the top, above the jack sockets. Ultimately, you're not going to be fooled if you know a little about pedals and you do your research before you buy something; but it does feel, to me, that Behringer are trying to trick you a little bit. As others in the comments have said, it's so blatant a copy, that I wouldn't be surprised if Behringer have done a deal with Bill Finnegan. Otherwise, it's some STAGGERING arrogance.

Show less

Reply



@iagobroxado 4 months ago

Behringer must have gotten a license? It's exactly the same graphics and NAME! Would be just too dumb to ask for a lawsuit because they'd lose that one.

Reply



@gordontubbs 4 months ago

My guess is that a company the size of Behringer probably sorted out the legal issues before developing the Centaur Overdrive, and will probably pay Bill Finnegan a commission or some other settlement that is wrapped up in an NDA. Take for example some pedals inspired by the AC30. In at least two cases I know of, KORG issued C&D letters to Westminster Effects (for their v1 Geneva Amp Sim) and Brian Wampler (for the Ace Thirty), and then when you see the Catalinbread CB30 (which is very clearly derived from an AC30 in both tone and looks) remain in production as is... it just makes you wonder if there wasn't some legal/financial arrangement that was secured before the fact.

Show less

4 Reply



@kierenmoore3236 4 months ago

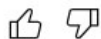
Why are you assuming that Behringer didn't license the name/logo/designs from Bill? ... Do you really think Behringer's lawyers have no idea about IP Law ... ?!

Reply



@jimboissuperfun 4 months ago

There are some rumors that bill approved this, yet I haven't seen anything from klon officially



Reply

**From the YouTube video accessible at <https://www.youtube.com/watch?v=KXGHDeH6ZbA>:**



@terryenglish7132 5 months ago (edited)

From watching the Beringer video I got the impression they must of compensated the Klon inventor. It just seemed too straight forward . If they didn't, yeah sue em.



Reply

**From the YouTube video accessible at <https://www.youtube.com/watch?v=AjS7 jt2F9o>:**



@Paul\_Lenard\_Ewing 4 months ago

Behringer did not go too far. This small Klon was designed by Bill Finnegan himself. He is on the team and part of the marketing and promotion.



Reply

**From the YouTube video accessible at <https://www.youtube.com/watch?v=Tt3XcHiL8g0>:**



@basicforge 2 months ago

People keep saying that Behringer has gone too far and that they will get sued. But no, this is a licensed product. The inventor of the Klon pedal is getting a royalty. Good for him. He deserves it.



Reply



• 2 replies



@aaronshortmusic 2 months ago

That's great news.



Reply



@dustinadair7893 3 weeks ago

Source?



Reply

**From the YouTube video accessible at****<https://www.youtube.com/watch?v=DOcnNyQae9k&t=12s:>****@renodavid** 4 months ago

I was reading the comments to a Behringer Centaur video and one of the commentators seemed to come across as a legitimate source of BTS information about the company. They said that Bill Finnegan was indeed getting a cut of the proceeds from the new pedal. It certainly makes sense because Behringer has always slightly disguised who they were copying (like everyone else does) and they would probably still be doing that now UNLESS a deal had been made in advance of the pedal's introduction. Yep, I'm pretty sure all the legalities have all been ironed out. Maybe they'll reveal more details when the pedal actually hits the market, OR maybe they prefer keeping an air of mystery (which, come on, has always been a huge contributor to the Klon Centaur's success).

Show less

1 Reply

**@achill3usoverclocking874** 4 months ago (edited)

I honestly hope Behringer will get sued. You cannot carbon copy the original thing and basically tell to people that you should not overpay here is our product that calls, looks and does exact the same. Outrageous.

3 Reply

5 replies

**@therangersinger** 4 months ago

How do you know that there isn't some sort of arrangement between them and the original builder?

Reply

**From the YouTube video at [https://www.youtube.com/watch?v=LhbS\\_ayEFmE:](https://www.youtube.com/watch?v=LhbS_ayEFmE:)****@eldorod** 3 months ago

I read Bill Finnegan was involved

Reply

**@PedalJunkie** • 2 replies**@PedalJunkie** 3 months ago

Really? That would be interesting. Anyway, I'm looking forward to the Pedal.

Thanks for watching 🍷

Reply

**From the YouTube video accessible at****<https://www.youtube.com/watch?v=Rtnwre9ghqY:>****@basicforge** 2 months ago

My understanding is that this is a licensed copy of the Klon, and they pay a royalty.



Reply

**From the YouTube video accessible at**

**<https://www.youtube.com/watch?v=DOcnNyQae9k>:**



@renodavid 5 months ago

I was reading the comments to a Behringer Centaur video and one of the commentators seemed to come across as a legitimate source of BTS information about the company. They said that Bill Finnegan was indeed getting a cut of the proceeds from the new pedal. It certainly makes sense because Behringer has always slightly disguised who they were copying (like everyone else does) and they would probably still be doing that now UNLESS a deal had been made in advance of the pedal's introduction. Yep, I 'm pretty sure all the legalities have all been ironed out. Maybe they'll reveal more details when the pedal actually hits the market, OR maybe they prefer keeping an air of mystery (which, come on, has always been a huge contributor to the Klon Centaur's success).

Show less

👍 1 🗨 Reply

85. Guitar industry blogs, online forums, and message boards have similarly been filled with comments and assertions expressing confusion, representative examples of which are below:



From the Stomp Box Steals website: <https://stompboxsteals.blogspot.com/2024/11/od-behringer-centaur-overdrive-new-klon.html>, which has the Counterfeit CENTAUR Video embedded within it:

Sunday, November 24, 2024

**OD- BEHRINGER Centaur Overdrive \_\_\_NEW\_\_\_ Klon? Bill F. thinks we need another!!!**

behringer

**CENTAUR**  
**OVERDRIVE**

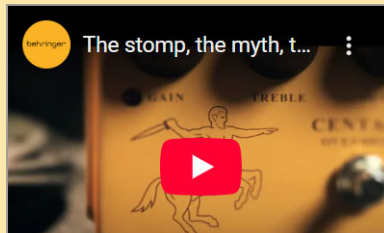
I can not help but say who needs another Klon when we now have dozens and dozens. This is maybe one HUGE exception. Bill Finnegan invented and made all the ones that now cost more than a house to buy. The BIG DEAL is Bill was in on designing this one and is in on the promotion.

**CONCLUSION** \_\_\_

Like the Behringer Fuzz Bender we will have to wait. Yes! this too you can prepay and get your place in the line.




\$70.00 USD




## From The Gear Page website at

<https://www.thegearpage.net/board/index.php?threads/behringer-centaur-overdrive.2605607/>:



**olejason**  
Member  
Messages: 6,931


Nov 26, 2024 #152


amz-fx said: 

I know that Bill F has worked with some brands trying to find someone to make the next Klon iteration. It is entirely possible that he has a deal with Behringer, but as someone else pointed out, wouldn't they have used that for promotion?

Best regards, Jack

They do mention him and 'Klon' by name in the video. Not a direct endorsement but it does lend credence to the idea that he is somehow involved. It's also possible he wanted to remain a mostly silent partner. Pretty interesting


 scolfax and CDawg




**Guitar Rod**  
Member  
Messages: 98

Nov 26, 2024 #151

The fact that the Behringer Centaur video mentions Bill by name with pic and details the history of the Klon kinda confirms his involvement or blessing in some way.

 OzzeAsjourne, Rolo Shingshing, CDawg and 1 other person




**Kyle Ashley**  
Silver Supporting Member  
Messages: 3,388


Nov 24, 2024 #108

If any of these actually ship to people with these graphics as pictured, I wouldn't be surprised if they become worth some \$\$ because it is a clear TM violation. If Bill's TM is current, he should easily be able to force them to change the graphic/name.

Then everyone will be hot for a rare, first run Behringer Centaur horsie.

Or maybe BF actually *did* license to Behringer and will be taking the pi\$\$ out of the klone market now.


 philamag87 and Doutorfunga

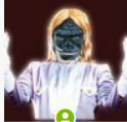


**OotMagroot**  
Silver Supporting Member  
Messages: 15,064

Nov 25, 2024 #127

IF Bill is involved, then that's cool. Behringer can probably meet the demand, and the price is attractive. If Bill gets a cut and Behringer can make and move the product.....well, good for Bill.

 PedalDegenerate and GenghisBomb



**Beto**  
Silver Supporting Member  
Messages: 5,783

Nov 25, 2024 #136


If he is involved, not letting it straight clear works as a great marketing strategy.

If his name were attached to this release from the start, people would be criticizing it anyway.

Instead, let the internet explode first, with people fighting each other with all kinds of pros and cons regarding this release. Then comes the "oh wait, it's a legit product because Bill is involved, and look at this, he's doing it in a way that he's making his creation available for the masses, instead of being greedy by teaming up with someone else and selling it for a few hundred bucks.

Not that I believe that it's the case... but wouldn't it be amazing?

👍 PedalDegenerate, jemboism and monty



**amz-fx**  
Silver Supporting Member  
Messages: 2,105

Nov 26, 2024 #144

Grenville said: ④

I read (at Stompboxsteals) that Bill F. was involved with this:


"The BIG DEAL is Bill was in on designing this one and is in on the promotion".

Cool if that's true. Can't find any other corroborating evidence, though.

I know that Bill F has worked with some brands trying to find someone to make the next Klon iteration. It is entirely possible that he has a deal with Behringer, but as someone else pointed out, wouldn't they have used that for promotion?

Best regards, Jack

👍 monty, Rolo Shingshing, rabbuhl and 1 other person




**Kyle Ashley**  
Silver Supporting Member  
Messages: 3,388

Nov 23, 2024 #63

Bill should have some IP recourse here or did he license this and I just missed it?

👍 Jellofingers



**ramseybella**  
Member  
Messages: 40

Nov 29, 2024 #216

Kyle Ashley said: ④

Bill should have some IP recourse here or did he license this and I just missed it?

Reason I placed an order for two..😄

**From the Facebook thread for Pedalboard 101 at****<https://www.facebook.com/groups/1622741738008344/posts/3940800219535806/>:****Bobby Wasabi**

Behringer specifically got the rights to this from the original owners estate/family. I wouldn't call that shameful.

22w Like Reply Share

**Jerry Baz**

i actually want one..... perhaps Bill Finnigan (owner of Klon) has a deal with Behringer to sell these.....

22w Like Reply Share



86. Upon information and belief, Defendants have not responded to the comments on the above-referenced videos/websites or otherwise confirmed to consumers or the media that the Counterfeit CENTAUR Pedal is not licensed, authorized, or in any way affiliated with Plaintiffs, instead willfully determining to allow consumers to remain confused.

87. Upon information and belief, Defendants are aware of additional instances of actual confusion beyond the representative examples shown above.

88. In light of the above, on January 10, 2025, Plaintiffs sent Defendants a cease and desist letter explaining Defendants' numerous violations of Plaintiffs' rights, reporting numerous instances of actual confusion, and demanding that Defendants cease using the CENTAUR Mark, CENTAUR Logo, CENTAUR Trade Dress, and Finnegan's name and likeness, or otherwise engaging in Defendants' unlawful conduct.

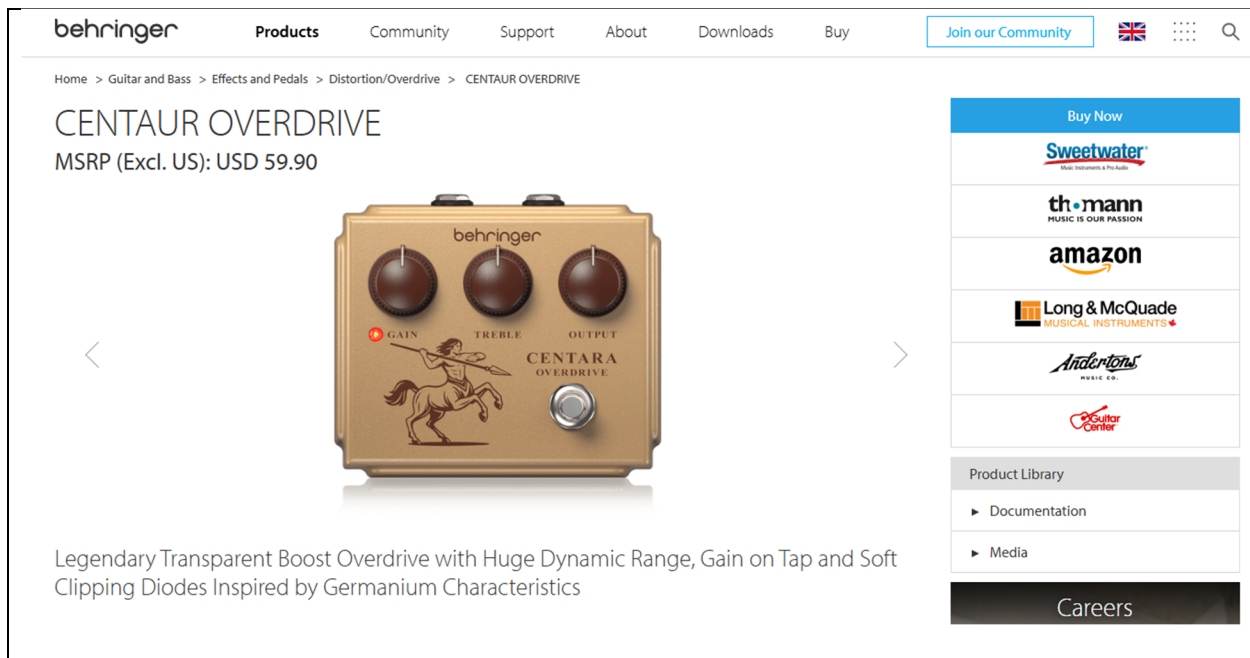
89. Upon information and belief, Defendants continue to offer and/or distribute the Counterfeit CENTAUR Pedal for sale.

#### IV. THE INFRINGING CENTARA PEDAL

90. On or about June 23, 2025, after having been served with the Complaint in this action, and without Plaintiffs’ knowledge or approval, Defendants updated the product page for the Counterfeit CENTAUR Pedal on Behringer’s website to display a revised version of the Counterfeit CENTAUR Pedal, now named the “CENTARA” (the “CENTARA Mark”) with a modified centaur logo and the BEHRINGER mark appearing on the face of the pedal (the “Infringing CENTARA Pedal”).

91. When launching the Infringing CENTARA Pedal, Defendants were on notice of Klon’s trademark registrations for CENTAUR.

92. When Defendants first launched the Infringing CENTARA Pedal on the product page for the Counterfeit CENTAUR Pedal on Behringer’s website, the page appeared as shown below, with Klon’s CENTAUR Mark still prominently featured as the product name, and in close proximity to the image of the Infringing CENTARA Pedal:





93. Upon information and belief, Defendants revised the website page for the Counterfeit CENTAUR Pedal as shown above in order to create a continuation of association between Klon's CENTAUR Mark and Defendants' newly adopted and highly similar CENTARA Mark.

94. Defendants subsequently revised the above-depicted website page to slightly change Klon's CENTAUR Mark to read CENTARA.

95. Upon information and belief, Defendants selected the CENTARA Mark – which is confusingly similar to Klon's CENTAUR Mark visually, phonetically, and conceptually – for the purposes of continuing to create confusion and trading on Plaintiffs' goodwill and reputation.

96. Plaintiffs have not authorized, approved, agreed upon, or otherwise consented to the marketing, sale, or distribution of the Infringing CENTARA Pedal.

97. Plaintiffs have advised Defendants that they object to the marketing, sale, and distribution of the Infringing CENTARA Pedal.

98. Despite Plaintiffs' objections and notice, Defendants continue to actively market the Infringing CENTARA Pedal, and the Infringing CENTARA Pedal can be ordered on several websites.

99. Upon information and belief, at or about the same time as Defendants unilaterally launched the Infringing CENTARA Pedal on the Behringer website, Defendants directed their dealers and distributors, including but not limited to Sweetwater in the U.S., to begin offering the Infringing CENTARA Pedal for sale.

100. Upon information and belief, consumers ordering the Infringing CENTARA Pedal are receiving the Counterfeit CENTAUR Pedal from retailers.

101. In the wake of Defendants' announced change from the Counterfeit CENTAUR Pedal to the Infringing CENTARA Pedal, the price of the Counterfeit CENTAUR Pedal has skyrocketed on the secondary market.

102. Upon information and belief, consumers wanting to take their chances of perhaps getting a Counterfeit CENTAUR Pedal have been ordering the Infringing CENTARA Pedal.

103. Defendants have not made any statement, on or in connection with the marketing or sale of the Counterfeit CENTAUR Pedal or the Infringing CENTARA Pedal, that Plaintiffs have no affiliation with Defendants and/or that Plaintiffs have not authorized or otherwise agreed to the marketing, sale, and/or distribution of either pedal.

104. By launching the Infringing CENTARA Pedal without any explanation to consumers as to whether the Counterfeit CENTAUR Pedal has been discontinued, and/or whether Plaintiffs have authorized, approved, endorsed, agreed upon, or are otherwise affiliated with either or both of Defendants' infringing pedals, Defendants have deliberately created interest, demand, and consumer confusion over both the Counterfeit CENTAUR Pedal and the Infringing CENTARA Pedal.

105. Defendants' willful and unilateral adoption and promotion of the CENTARA Mark and the Infringing CENTARA Pedal, which Defendants continue to misleadingly describe as "a pedal as legendary as the many mythological creatures it's named after," has not abated the actual and potential harm to Plaintiffs, nor has it undone the substantial damage already done to Plaintiffs by the Counterfeit CENTAUR Pedal.

**COUNT I**  
**Trademark Counterfeiting, 15 U.S.C. §§ 1114 & 1116**

106. Plaintiffs repeat and reallege all of the foregoing paragraphs as though fully set forth herein.

107. Klon has owned and used the CENTAUR Mark in connection with guitar effects pedals well prior to Defendants' adoption and use of the CENTAUR Mark on the Counterfeit CENTAUR Pedal.

108. Klon is the owner of multiple valid federal trademark registrations for the CENTAUR Mark and owned such registrations prior to Defendants' adoption and use of the CENTAUR Mark.

109. Defendants, without authorization from Plaintiffs, have used and continue to use a spurious mark on the Counterfeit CENTAUR Pedal that is identical to the registered CENTAUR Mark.

110. The foregoing acts of Defendants are intended to cause, have caused, and are likely to cause confusion or mistake, or to deceive consumers, the public, and the trade into believing that Defendants' Counterfeit CENTAUR Pedal is a genuine or authorized product of Plaintiffs.

111. Upon information and belief, Defendants have acted with knowledge of the CENTAUR Mark and with deliberate intention or willful blindness to unfairly benefit from the goodwill inherent in the CENTAUR Mark.

112. Defendants' acts constitute trademark counterfeiting in violation of Section 32 of the Lanham Act, 15 U.S.C. § 1114, and Section 34 for the Lanham Act, 15 U.S.C. § 1116.

113. Upon information and belief, Defendants have made and will continue to make profits and gains to which they are not entitled.

114. Klon has been, and will continue to be, damaged by Defendants' wrongful acts unless the Court enjoins Defendants' acts. Klon has no adequate remedy at law for Defendants' continuing violation of its rights.

**COUNT II**  
**Trademark Infringement, 15 U.S.C. §§ 1114**

115. Plaintiffs repeat and reallege all of the foregoing paragraphs as though fully set forth herein.

116. Klon has owned and used the CENTAUR Mark in connection with guitar effects pedals well prior to Defendants' adoption and use of the CENTAUR Mark and the CENTARA Mark.

117. Klon is the owner of multiple valid federal trademark registrations for the CENTAUR Mark and owned such registrations prior to Defendants' adoption and use of the CENTAUR Mark and the CENTARA Mark.

118. Defendants, without authorization from Plaintiffs, have used and continue to use a spurious mark on the Counterfeit CENTAUR Pedal that is identical to the registered CENTAUR Mark.

119. Defendants, without authorization from Plaintiffs, have used and continue to use the CENTARA Mark, which is confusingly similar to the registered CENTAUR Mark, on the Infringing CENTARA Pedal.

120. The foregoing acts of Defendants are intended to cause, have caused, and are likely to cause confusion or mistake, and deception among consumers, the public, and the trade as to whether Defendants' Counterfeit CENTAUR Pedal and Infringing CENTARA Pedal originate from, or are affiliated with, sponsored by, or endorsed by Plaintiffs.

121. Upon information and belief, Defendants have acted with knowledge of the CENTAUR Mark and have infringed upon the same with deliberate intention or willful blindness to unfairly benefit from the over 30 years of goodwill generated by Plaintiffs in the CENTAUR Mark.

122. Defendants' acts constitute trademark infringement in violation of Section 32 of the Lanham Act, 15 U.S.C. § 1114.

123. Upon information and belief, Defendants have made and will continue to make profits and gains to which they are not entitled.

124. Klon has been, and will continue to be, damaged by Defendants' wrongful acts unless the Court enjoins Defendants' acts. Klon has no adequate remedy at law for Defendants' continuing violation of its rights.

### **COUNT III**

#### **Trademark and Trade Dress Infringement, False Designation of Origin, Passing Off, and Unfair Competition Under Section 43(a)(1)(A) of the Lanham Act, 15 U.S.C. § 1125(a)(1)(A)**

125. Plaintiffs repeat and reallege all of the foregoing paragraphs as though fully set forth herein.

126. Defendants' promotion, advertising, distribution, sale, and/or offering for sale of the Counterfeit CENTAUR Pedal and the Infringing CENTARA Pedal, together with Defendants' use of indicia associated with Plaintiffs, is intended to, has, and is likely to continue confuse, mislead, or deceive consumers, the public, and the trade as to the origin, source, sponsorship, or affiliation of the Counterfeit CENTAUR Pedal and the Infringing CENTARA Pedal, and is intended and likely to cause consumers to erroneously believe that the Counterfeit CENTAUR Pedal and the Infringing CENTARA Pedal have been authorized, sponsored, approved, endorsed, or licensed by Plaintiffs or that Defendants are in some way affiliated with Plaintiffs.

127. Defendants' acts constitute a trademark infringement, trade dress infringement, false designation of origin, false and misleading descriptions and representations of fact, and unfair competition, all in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).



128. Upon information and belief, Defendants have made and will continue to make profits and gains to which they are not entitled.

129. Klon has been, and will continue to be, damaged by Defendants' wrongful acts unless the Court enjoins Defendants' acts. Klon has no adequate remedy at law for Defendants' continuing violation of its rights.

**COUNT IV**  
**Common Law Trademark and Trade Dress Infringement**

130. Plaintiffs repeat and reallege all of the foregoing paragraphs as though fully set forth herein.

131. Defendants, without authorization from Plaintiffs, have used and continue to use marks that are identical or confusingly similar to the registered CENTAUR Mark, the CENTAUR Logo, and the CENTAUR Trade Dress.

132. The foregoing acts of Defendants are intended to cause, have caused, and are likely to cause confusion or mistake, and deception among consumers, the public, and the trade as to whether Defendants' Counterfeit CENTAUR Pedal and Infringing CENTARA Pedal originate from, or are affiliated with, sponsored by, or endorsed by Plaintiffs.

133. Upon information and belief, Defendants have acted with knowledge of the CENTAUR Mark, CENTAUR Logo, and CENTAUR Trade Dress and with deliberate intention or willful blindness to unfairly benefit from the goodwill inherent in the CENTAUR Mark, CENTAUR Logo, and CENTAUR Trade Dress.

134. Defendants' acts constitute trademark infringement and trade dress infringement in violation of Massachusetts common law.

135. Upon information and belief, Defendants have made and will continue to make profits and gains to which they are not entitled.

136. Klom as been, and will continue to be, damaged by Defendants' wrongful acts unless the Court enjoins Defendants' acts. Klom has no adequate remedy at law for Defendants' continuing violation of its rights.

**COUNT V**  
**Common Law Unfair Competition**

137. Plaintiffs repeat and reallege all of the foregoing paragraphs as though fully set forth herein.

138. Defendants' promotion, advertising, distribution, sale and/or offering for sale of the Counterfeit CENTAUR Pedal and the Infringing CENTARA Pedal, together with Defendants' use of indicia associated with Plaintiffs, is intended to and is likely to confuse, mislead or deceive consumers, the public, and the trade as to the origin, source, sponsorship, or affiliation of the Counterfeit CENTAUR Pedal and the Infringing CENTARA Pedal. As set forth above, such confusion and deception have already occurred and continue to occur.

139. Defendants' promotion, advertising, distribution, sale and/or offering for sale of the Counterfeit CENTAUR Pedal and the Infringing CENTARA Pedal, together with Defendants' use of indicia associated with Plaintiffs, is also intended to and is likely to cause such parties to erroneously believe that the Counterfeit CENTAUR Pedal and the Infringing CENTARA Pedal have been authorized, sponsored, approved, endorsed or licensed by Plaintiffs or that Defendants are in some way affiliated with Plaintiffs. As set forth above, such erroneous belief has already occurred and continues to occur.

140. Defendants have also made assertions, representations, and statements of fact regarding their Counterfeit CENTAUR Pedal, regarding their Infringing CENTARA Pedal, and regarding Plaintiffs that are untrue, deceptive, and misleading.

141. Defendants' acts constitute unfair competition in violation of Massachusetts common law.

142. Upon information and belief, Defendants have made and will continue to make profits and gains to which they are not entitled.

143. Klon has been, and will continue to be, damaged by Defendants' wrongful acts unless the Court enjoins Defendants' acts. Klon has no adequate remedy at law for Defendants' continuing violation of its rights.

**COUNT VI**  
**Trademark Dilution Under M.G.L c. 110H, § 13**

144. Plaintiffs repeat and reallege all of the foregoing paragraphs as though fully set forth herein.

145. The CENTAUR Mark, CENTAUR Logo, and CENTAUR Trade Dress are distinctive based on, among other things, the inherent distinctiveness and federal registration of the CENTAUR Mark and the extensive use, promotion, and reputation of the CENTAUR Mark, CENTAUR Logo, and CENTAUR Trade Dress as a designation of source of Klon's products.

146. Defendants, without authorization from Plaintiffs, have used and continue to use marks that are identical or confusingly similar to the registered CENTAUR Mark.

147. Defendants, without authorization from Plaintiffs, have used and continue to use marks that are virtually identical to or confusingly similar to the CENTAUR Logo.

148. Defendants, without authorization from Plaintiffs, have used and continue to use a trade dress in the design of the Counterfeit CENTAUR Pedal and the Infringing CENTARA Pedal that is confusingly similar to the CENTAUR Trade Dress.

149. Defendants' promotion, advertising, distribution, sale and/or offering for sale of the Counterfeit CENTAUR Pedal and the Infringing CENTARA Pedal, together with

Defendants' use of indicia associated with Plaintiffs, is intended to and is likely to cause confusion or mistake, and deception among consumers, the public, and the trade as to whether the Counterfeit CENTAUR Pedal and the Infringing CENTARA Pedal originate from, or are affiliated with, sponsored by, or endorsed by Plaintiffs.

150. Defendants' promotion, advertising, distribution, sale and/or offering for sale of the Counterfeit CENTAUR Pedal and the Infringing CENTARA Pedal, together with Defendants' use of indicia associated with Plaintiffs, is intended to and is likely to dilute the distinctive quality of the CENTAUR Mark, CENTAUR Logo, and CENTAUR Trade Dress, by blurring.

151. Given the inferior nature of the Counterfeit CENTAUR Pedal and the Infringing CENTARA Pedal, Defendants' promotion, advertising, distribution, sale and/or offering for sale of the Counterfeit CENTAUR Pedal and the Infringing CENTARA Pedal, together with Defendants' use of indicia associated with Plaintiffs, is intended to and is likely to dilute the distinctive quality of the CENTAUR Mark, CENTAUR Logo, and CENTAUR Trade Dress, by tarnishment.

152. Klone has been, and will continue to be, damaged by Defendants' wrongful acts unless the Court enjoins Defendants' acts. Klone has no adequate remedy at law for Defendants' continuing violation of its rights.

**COUNT VII**  
**False Advertising Under M.G.L. c. 266, § 91**

153. Plaintiffs repeat and reallege all of the foregoing paragraphs as though fully set forth herein.

154. Defendants have published, disseminated, circulated, and placed before the public in Massachusetts promotional materials, including a website, that contain assertions,

representations, and statements of fact regarding their Counterfeit CENTAUR Pedal, regarding their Infringing CENTARA Pedal, and regarding Plaintiffs that are untrue, deceptive, and misleading.

155. Defendants are continuing to make such untrue, deceptive, and misleading assertions, representations, and statements of fact.

156. Defendants knew, and continue to know, that such assertions, representations and statements of fact are untrue, deceptive, and misleading.

157. Defendants have made, and are continuing to make, such assertions, representations, and statements of fact with the intent to sell their Counterfeit CENTAUR Pedal and Infringing CENTARA Pedal and with the intent to increase the consumption and demand for these pedals.

158. Defendants' willful conduct has violated, and continues to violate, M.G.L. c. 266, § 91.

159. Klone has been, and will continue to be, damaged by Defendants' wrongful acts unless the Court enjoins Defendants' acts. Klone has no adequate remedy at law for Defendants' continuing violation of its rights.

#### **COUNT VIII**

#### **Unauthorized Use of Individual's Name, Portrait, or Picture Under M.G.L. c. 214, § 3A**

160. Plaintiffs repeat and reallege all of the foregoing paragraphs as though fully set forth herein.

161. As described herein, Defendants have used, and continue to use, Finnegan's name and picture for purposes of marketing, promoting, and legitimizing their Counterfeit CENTAUR Pedal within Massachusetts.



162. Defendants' use of Finnegan's name and picture to market, promote, and legitimize their Counterfeit CENTAUR Pedal is and has been without any consent or authorization from Finnegan.

163. Defendants have not compensated Finnegan for the use of his name and picture to market, promote, and legitimize their Counterfeit CENTAUR Pedal.

164. Upon information and belief, Defendants have made and will continue to make profits and gains to which they are not entitled.

165. Defendants' conduct has violated, and continues to violate, M.G.L. c. 214, § 3A.

166. Defendants' acts as described herein have been willful and knowing, and, accordingly, Finnegan is entitled to recover three times the damages he has sustained.

167. Finnegan has been, and will continue to be, damaged by Defendants' wrongful acts unless the Court enjoins Defendants' from making any further use of his name and picture. Finnegan has no adequate remedy at law for Defendants' continuing violation of his rights.

**Request for Relief**

WHEREFORE, Plaintiffs respectfully request that this Court enter judgment against Defendants as follows:

A. Finding that Defendants have engaged in counterfeiting and trademark infringement in violation of Section 32 of the Lanham Act (15 U.S.C. § 1114) and Section 34 of the Lanham Act (15 U.S.C. § 1116); have engaged in trademark and trade dress infringement, false designation of origin, passing off, and unfair competition in violation of Section 43(a) of the Lanham Act (15 U.S.C. § 1125(a)); and have engaged in trademark and trade dress infringement, unfair competition, false advertising, dilution, misappropriation of name and

likeness, and violation of right of publicity under the statutory and/or common law of the Commonwealth of Massachusetts; and

B. Finding that Defendants' actions were willful and done with actual knowledge of and intentional disregard for Plaintiffs' rights; and

C. Granting an injunction, pursuant to Rule 65 of the Federal Rules of Civil Procedure and 15 U.S.C. § 1116, and also pursuant to Massachusetts law, preliminarily and permanently enjoining Defendants (as well as their agents, employees, servants, attorneys, successors and assigns, and all others in privity or acting in concert therewith) from engaging in the unlawful conduct alleged herein, including but not limited to:

a) manufacturing, importing, advertising, marketing, promoting, supplying, distributing, offering for sale, or selling any products which bear the CENTAUR Mark, CENTAUR Logo, CENTAUR Trade Dress, or any other mark or design element substantially similar or confusingly similar thereto, including without limitation, the Counterfeit CENTAUR Pedal and the Infringing CENTARA Pedal, and engaging in any other activity constituting an infringement, counterfeiting, or dilution of the CENTAUR Mark, CENTAUR Logo, or CENTAUR Trade Dress; and

b) engaging in any other activity constituting false designation of origin, passing off, false advertising, unfair competition, misappropriation, unauthorized use of name or likeness, or acts and practices that deceive consumers, the public, and/or trade; and

D. Requiring Defendants to file with the Court and serve upon Plaintiffs, within thirty (30) days after entry of the injunction, a report in writing under oath setting forth in detail the manner and form in which Defendants have complied with the injunction; and

E. Requiring Defendants, pursuant to 15 U.S.C. § 1118, to destroy all counterfeits, or colorable imitations, of the CENTAUR Mark; and

F. Directing such other relief as the Court may deem appropriate to prevent consumers, the public, and/or the trade from deriving any erroneous impression that any product at issue in this action that has been manufactured, imported, advertised, marketing, promoted, supplied, distributed, offered for sale, or sold by Defendants, has been authorized by Plaintiffs or is related in any way to Plaintiffs and/or their products; and

G. Awarding Klon statutory damages of up to \$2,000,000 per counterfeit mark in accordance with Section 35 of the Lanham Act (15 U.S.C. § 1117) or alternatively, ordering Defendants to account to and pay to Klon all profits realized by their wrongful acts, and also directing that such profits be trebled, in accordance with Section 35 of the Lanham Act (15 U.S.C. § 1117); and

H. Increasing Plaintiffs' recoverable damages by up to three times under 15 U.S.C. § 1117 and where provided under Massachusetts law; and

I. Awarding Plaintiffs punitive damages to which they are entitled under applicable federal and state laws; and

J. Awarding attorneys' fees and costs to Plaintiffs in accordance with 15 U.S.C. § 1117 and Massachusetts law; and

K. Awarding Plaintiffs pre-judgment interest on any monetary award made part of the judgment against Defendants; and

L. Awarding such additional and further relief as the Court deems just and proper.

**DEMAND FOR JURY TRIAL**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiffs request a trial by jury in this matter.

Dated: July 16, 2025

**KLON LLC and WILLIAM FINNEGAN**

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25046198.1